THE PROCEEDINGS
of
The South Carolina Historical Association
1991

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WHAT CAN GERMAN HISTORY TELL US ABOUT THE GERMAN QUESTION?

Gerhard L. Weinberg
The University of North Carolina at Chapel Hill

Two points must be clarified before there can be any useful discussion of the insights we might obtain from history about the "German Question." In the first place, what do we mean when we speak of the "lessons of history?" Most assuredly, the term does not mean that one can abstract from the past something on the order of a precise recipe for the future. While in a prisoner of war camp after World War II, German Field Marshall Ritter von Leeb noted in his diary what he believed the Second World War had taught as to the way Germany might defeat Great Britain in the Third World War--which he obviously took for granted and assumed would be waged once again by Germany against England and assorted other enemies. Such extraordinary persistence in old ways of thinking does not show that von Leeb had learned from the past; on the contrary, it demonstrates that he had been entrapped by it as well as captured by the Allies. When I refer to the lessons of history, I am suggesting that historical experience allows us greater insight into the range of possibilities and the range of possible dangers in the development of events and policies.

The second point which must be clarified is the definition of the phrase, the "German Question." For the purposes of this paper the phrase will be sued to refer to the organisation of the German people into a state or states and the possibilities and dangers inherent in changes in that organisation. Only the period since 1815 will be taken into account here. This chronological constriction is dictated by two considerations. In the first place, the German Question as an issue of nationality really only develops in the upheavals at the end of the eighteenth and the beginning of the nineteenth century. In the second place, the reorganization of central Europe at the beginning of the nineteenth century involved the disappearance of a form of state organization within which millions of Germans had lived in prior centuries but which we are unlikely ever to see revived on German territory: the church states so prominent in western and southern Germany before the great upheavals.

The Congress of Vienna dealt with the German Question at length. It is worth noting that the very attempt to engage the German Question at an international conference was itself a novel enterprise and hence an indicator of the changing situation

in Europe. For the first time an effort was made to give the German people as Germans an organized entity of their own. It was called the German Confederation; and its membership, organization, boundaries, and basic procedures were incorporated into the instruments signed at Vienna. The Confederation was designed to be a structure for the Germans of Central Europe which would not only leave the other states of Europe unthreatened but was supposed to contribute to their peace and security, a double function which it appears to have performed in the subsequent decades.

For many Germans, however, the German Confederation was not sufficiently German. On the one hand, the fact that portions of the territory of the Confederation belonged to the Danish, the Dutch, and the British crowns meant that non-German states were involved deeply and directly in the inner development and structure of the Confederation. On the other hand, while some German-inhabited portions of Prussia remained outside the Confederation, large portions of the Austrian empire which were inhabited by non-German people had been included. These real or imagined defects of the Confederation were partially reduced or eliminated by historical developments in subsequent years. One should note the obvious signs of disintegration evident within the territories of the Kingdom of the Netherlands with the Belgian revolution of 1830 as well as the end of the personal union of the Kingdom of Hanover with the British crown in 1837 because of the differing succession laws governing the two states. Many contemporaries found this evolution far too slow, noted the failure of various attempts to alter the internal structure of the Confederation, and hoped for more rapid--and more drastic--alterations in the situation.

The German Empire founded by Otto von Bismarck in 1871 looked to some at the time and to many later like a far preferable solution of the German Question to that offered by the German Confederation. In arriving at this judgment they tended to overlook that this new structure also divided the Germans, even if somewhat differently: this time the Germans of Austria were omitted altogether. Furthermore, the new state not only included millions of Prussia's Polish inhabitants but also brought into Germany additional non-Germans through the annexation of lands inhabited by Danes and Frenchmen. It is therefore at least open to question whether this new structure was actually more "German" than the Confederation had been. It is even more questionable whether this new construction under the autocratic central government with which Bismarck provided it was in the long run compatible with lasting peace and security in Europe. There is an especially striking contrast between the function of the Confederation as a defensive shield for Central Europe against possible incursions by France from the West or by Russia from the East and the implications of Bismarck's territorial expansionism for the relations of Germany with those two countries. The annexation of Alsace-Lorraine in 1871--with its implications for German-French relations--was followed seven years later by Bismarck's secret treaty with Austria about North Schleswig as a bribe for his allegedly impartial role as broker at the Congress of Berlin--with its implications for German-Russian relations. Few Germans saw this contrast at the time, but many others did.

The internal cohesion of the new German state was often contrasted with the weakness and incoherence of its predecessor, but in this regard there are also facets of the manner in which Bismarck operated that had implications which are too frequently

overlooked. The enormous annexations by Prussia which preceded the construction of the German Empire gravely compromised the future functioning of the latter. In view of the prior trading back and forth which had affected the history of the small state of Lauenburg, a case could easily be made for its annexation by Prussia at the end of the war of Prussia and Austria against Denmark. The massive annexations which followed, however, prejudiced the future of Germany; as between Prussian expansionism and German federalism, the former was obviously far closer to Bismarck's heart. The Prussian state would in any case have been disproportionately large in any federal system created for the German states (which or without the German-speaking portions of Austria), but the annexations of 1866 tilted the whole system in a manner and in a direction which would prove to be irremediable. One has only to give a moment's thought to the alternatives to recognize the fatefulness of the events of 1866. Without Schleswig, Holstein, Hanover, Nassau, Kassel, and Frankfurt, the disproportionate size of Prussia in the German federal system would have been much less. In the Bundesrat, the upper house of the German parliament, Schleswig-Holstein under the Augustenburg family and Hanover under its dynasty would have joined Bavaria, Saxony, and Württemberg as mid-size states, while Nassau and Cassel would have joined such states as Baden, Hesse-Darmstadt, Oldenburg and others as smaller units. A very different federal system indeed. And the implications of the annexations for the future of the new German state were not confined to its formal structure.

Prussia had begun as an overwhelmingly Protestant state. In the century beginning with the accession of Frederick the Great in 1740, it had steadily increased its proportion of Catholics by terriorial expansion: Silesia, the Polish provinces, and eventually the western areas in the Rhineland as well as the portions of Saxony added in 1814-15 had been inhabited predominantly by Catholics. Though still the minority, and one discriminated against in a wide variety of ways, the Catholics were in fact approaching demographic parity within Prussia; whether in such a state Bismarck would have hurled himself into the Kulturkampf, the assault on the Catholic church, is at least worth speculating about. The lands annexed in 1866, however, were without exception overwhelmingly Protestant in population, and this reversal of the trend in the proportion of Protestants and Catholics within Prussia ought not to be entirely omitted--as it generally is--from discussions of the origins and impact of the Kulturkampf with its long-term implications for the political health of the German state Bismarck constructed.

Whatever one's views on these issues, one fact is beyond possible controversy: the Bismarckian Reich was erected as a result of victory in three wars and collapsed in the military defeat of the First World War. The unity of the German state was maintained only by the combined actions of the internal and the foreign enemies of the Second Reich. It was precisely those political movements which Bismarck had defamed as "Reichsfeinde," as enemies of the state--the Catholic Center Party, the Social Democrats, and the bourgeois left now organized in the Democratic Party--which held Germany together internally as the old ruling houses disappeared overnight. From the outside, the victors of the war, France, Great Britain, and the United States, made it possible for the youngest of the European great powers to continue to exist as a unit in the Peace Treaty of Versailles; one of the many advantages of that treaty for Germany which only became evident to most Germans after they themeselves had done everything

possible in order to destroy it.

Just as many Germans did not consider the German Confederation to be sufficiently German, so large numbers of them did not believe the Weimar Republic to be sufficiently powerful and large. Even today many fail to recognize the great and real successes of the Republic; instead one can often read about the supposed successes of the National Socialist regime. It is regularly overlooked that the actual return of Germany to acceptance as an equal great power with a permanent seat in the Council of the League of Nations, the early end of occupation and reparations, and a whole host of other accomplishments were all real successes of potentially lasting significance attained by the Republic. Instead, attention is focused on such imaginary successes of the National Socialists as the creation of a new airforce in a world practically without heavy bombers with a resulting rearmament of others which had devastating results for Germany's cities, or the remilitarization of the Rhineland with its breach of the only defensive alliance Germany ever had with England before NATO as well as its encouragement to German adventures elsewhere and thus a new war.

The point I would like to stress, however, is a portion of the program of the National Socialists which is generally overlooked in discussions of the German Question. From the very beginning the National Socialist Party called for a new division of Germany. Three points in the National Socialist program of 1920--the 4th, 5th, and 6th--called for a partition of Germany along religious, allegedly racial, lines. Loudly and unceasingly the Nazis asserted that only a new division of the German population would enable Germany to ascend to world power status; and the reports of the newspapers and police on rallies of the 1920's and early 1930's reveal that it was precisely these demands for a renewed division of Germany which evoked loud applause from the listening crowds.

Of the many promises Hitler made, only two would be fulfilled--and in a manner he never anticipated. He promised to divide the Germans, and he assured them that no one would recognize Germany if he were given the power he demanded. The fulfillment of both promises could be seen in the ruins of the divided and occupied Germany of 1945.

When we consider the German Question in the post-World War II era, we must do so under circumstances which oblige us to take into account entirely new and extremely important elements: the confrontation between super-powers in the middle of what had been Germany and the existence of nuclear weapons--both developments of the same year which saw the disappearance of the Third Reich. Under these circumstances, is there any possiblity at all of making changes without starting an earthquake that threatens to destroy the whole earth?

It may be useful in discussing this general problem to cite first some examples from the past, examples which are all too frequently overlooked. I have already referred to the important way in which the change in the Hanoverian and British succession of 1837 affected the German question: one has only to try to visualize its subsequent development had the two continued to be joined in personal union by the same king or queen. Another development of the early nineteenth century seems especially interesting to me because it indicates that it is possible to make a significant alteration in the German Question for reasons of security policy without necessarily causing major international complications. The first territorial change in the arrangements established

by the Final Act of the Congress of Vienna was a small enlargement of the German Confederation. A portion of Western Galicia was taken into the Confederation. Why was this change made? Because this portion of Austrian Galicia covered an important possible invasion route into Bohemia, and this alteration in the boundaries of the Confederation had the effect of involving all of its members in the defense of this potential invasion gateway. The details of the issue are not important today, but the concept is worth recalling.

The nineteenth century also saw the only permanent enlargement of German territory in modern history, an enlargement which as far as I know is not called into question by anyone today. This was the acquisition of the island of Helgoland in the North Sea in the so-called Helgoland Treaty of 1890. The chancellor who secured this territory in a success which for once in German history truly deserves the term "einmalig" or unique was Leo von Caprivi. He was attacked most vehemently inside Germany for this action, but it is worth recalling for its demonstration of the possibility of adjustments being worked out in peaceful negotiations between major powers--in this case Germany and Great Britain--in a manner which satisfies the security requirements of both.

The argument may be made that the first examples lie too far in the distant past while the last ought instead to be seen within the framework of the exchange and partition treaties which characterized the imperialist expansion of Europe in the late nineteenth century. Without trying to resolve the question of the validity of such arguments, we must now turn to the period since May 1945. When we consider this period, we ought to look first at a number of changes in the development of the German Question which were by no means foreordained or inevitable as many are inclined to assume today. The American zone of occupation with its three portions and the British zone and the two portions of the French zone were united into one political entity. This process was anything but simple and automatic; and even though the possibility of such a development could certainly not have been excluded in 1945, the process of unification could very easily have taken many decades. Only one example of how long such a reunification can take might be mentioned here: Spanish and French Morocco remained separated for many decades after the partition of 1912 until they were reunited a few years ago.

An even more remarkable step in the situation since 1945 is the return of the Saar territory to Germany at the beginning of 1957. This is one development many would have considered impossible, or at least most unlikely, in prior years. Precisely because the French government had seen so many of its immediate post-war objectives in Germany vanish one by one, it might have been expected to hold with all the grimmer determination onto the one tangible acquisition of victory--especially in the face of the by that time obvious permanence of the transfer to Poland and the Soviet Union of extensive former German territories in the East. It is also worth noting that Konrad Adenauer's policy on the Saar question was subjected for a long time to even more vehement domestic criticism than von Caprivi's Helgoland Treaty, and that some of this criticism came from members of his own cabinet! All of the changes recited here have one extremely important element in common: they were all worked out in lengthy, complicated, peaceful--even if sometimes acrimonious--negotiations. And at the end of those negotiations those who had participated in them found the results, if not entirely

to their satisfaction, at least preferable to the possible alternatives.

In the years since 1945 there have also been changes in the border between East and West Germany, and these too deserve mention. The pieces of territory which are involved in these changes are minute, but one can learn from such events if one wants to. The territories to be discussed first are Eiskeller and Steinstücken, two exclaves of West Berlin. The success of the settlement arrived at in the treaty of December 1971 can be seen most simply by the contrast between two scenes in West Berlin. On the one hand, the schoolchild from Eiskeller who could go to class only when escorted by a British tank, on the other hand the sign "Steinstücken" as the attainable final station on a West Berlin streetcar. In 1988 there was a whole series of additional modifications in the borders between East and West Berlin and between West Berlin and the German Democratic Republic. One of the smaller pieces of territory transferred in this transaction had been leased for some time by West Berlin from East Berlin prior to the signing of the final agreement of March 32, 1988. Can anyone imagine such a thing happening in the 1950's or 1960's? The total area involved in all of these adjustments was small, but the very fact that such changes were made, and made by mutual agreement, deserves careful attention.

The review of examples like the ones cited leads to the question, what is needed and what is dangerous for alternations in the status quo? The one thing needed least of all is a big ruckus. When anything is demanded long enough and with sufficient noise, there is always the danger of getting what has been demanded. For many years the Sudeten Germans yelled as loudly as they could that they wanted to go "Heim ins Reich", home into the Reich, until one day they were driven home into the Reich. For many years the German government and large numbers of German politicians, publicists, and scholars worked to persuade the world that contrary to the experience of many centuries, Germans could not live on *both* sides of Poles; this wish has also been fulfilled in the meantime.

The Germans also do not need any of the so-called "successes" of the early National Socialist years, and no one should lead them toward great times, as William II once promised his subjects. Any new arrangements in the German Question which are to be of real and lasting significance will have to share a special quality with those arrangements of the past to which I have already referred. They must include careful consideration of the security of other involved and interested parties. A few years ago there appeared a highly interesting Festschrift with the title, "Die Freiheit des Anderen," (The Freedom of the Other Person). This title was designed to convey the implication that the freedom of the individual can be assured only within a system which simultaneously guarantees the freedom of others. In the same fashion, any new security system for Germany must provide for the security of others.

Currently the German people live in a system of peace and security in which the other peoples of Europe also live in peace and security--even if they do not all live in it happily. In the last five hundred years, in the centuries since the emergence of the modern state system on the European continent, the peace of Europe has never previously been maintained for as lengthy a period as in the years since 1945. The so-called peace movement in Europe, and most certainly within Germany, has shown neither awareness of this astonishing fact nor interest in it. The Europeans who have been

accustomed for centuries to seeing a war on the continent every five or ten or, at the most, twenty years, and who have then participated in Europe's major sport--mutual slaughter, preferably on a very large scale--long seemed to be annoyed by their current deprivation in this regard. It is actually not so surprising that they poured out their anger at this deprivation on the Americans whom they consider responsible for it. Yet this peace has brought to the Germans, and I refer here to all Germans, some time: time to live and to grow, to learn and to love. Time is not a neutral but an active element in life, and perhaps additional time ought not to be considered such a disaster. One would hope that the world will not end tomorrow; but if it does, it will make very little difference whether the Germans lived in one or a hundred states. If, however, it does not end tomorrow, then there are two highly significant attitudes which one might well adopt in the face of the present situation in Central Europe in general and in Germany in particular.

In the first place, it may well be appropriate to show a little pride in the German contribution to the long period of peace in Europe. This contribution entails many sad and costly and even tragic aspects, but there could all too easily be even more terrible possible contributions; one has only to consider the example of Korea. In that country a return to a division approximating that of 1945 was attained only after three years of bloody and destructive fighting, fighting which if it were to occur in Germany would very likely be even more terrible than that of 1950-53.

In the second place, one ought to observe the unfolding of events with the greatest care and attention to possibilities for change. Historical development no more stands still now than in the past. Any such possibilities should then be explored with the care and caution and regard for the security of others already suggested.

The changes which have swept Central and Eastern Europe in 1988 and 1989 had their impact on the German Democratic Republic (and changes there in turn affected the other countries of the region). Substantial numbers of people were allowed to leave East Germany legally, first through Hungary, then through Czechoslovakia and Poland. Demonstrations inside the GDR toppled the regime first of Erich Honecker and then of his successor. The dramatic measures taken by their successors to halt the crumbling of their system--legalizing emigration and opening the wall--have not stabilized the GDR. Without Soviet military power to back it up, the East German system turns out to be at its end what it was at its beginning: a roof without foundations or walls to support it.

The German Democratic Republic once had the function of offering the Soviet Union an opportunity to try to extend its say into all of Germany; it has long since lost that role. It also once provided a source first for massive reparations deliveries and subsequently for important machinery and technology transfers; the first of these ended years ago and the second has been greatly reduced. But there is a third function of the GDR, and that role remains. It is that of simultaneously providing from the perspective of the Soviet Union a military advanced position toward the West and a firm staple holding Poland in the Soviet bloc. Even if the former of these roles is not as important today as it once was, the latter has, if anything, grown in significance. It must be noted that developments inside Poland make a retention of a large Soviet military presence in the German Democratic Republic more, not less, important for Moscow. Anyone in Moscow who does not see this is not likely to last long. And it is hardly wise to

overlook this aspect of the situation.

There are many possibilities, each with its own set of risks. Perhaps most of the people of the GDR will leave, come to live in the Federal Republic, and thus create one Germany in a Federal Republic that will thus have solved its problem of a declining population while the officials of the GDR will earn their living as tourist guides in a European nature preserve. In that preserve there would be ample maneuver grounds for the Red Army; the remaining population would be treated decently lest it also leave; and the aging factories would, like the Indian ruins in Mesa Verde National Park, be shown to tourists as monuments of a by-gone German Path to Socialism.

It is conceivable today that the Soviet Union might allow some form of unification in which a re-united Germany could emerge with continued ties to NATO. The special status of the Federal Republic when admitted to NATO in 1955, namely that, unlike all other member states which are permitted to have units inside or outside the NATO structure, all German units must be under NATO's combined command, could now provide a new safeguard for everyone--ironically its original intent. Furthermore, the lowering of troop levels would save everyone trouble and money. The United States and Great Britain have long been pledged to the territorial status quo in Europe; a reunited Germany is unlikely to take us all on once again. Not only would its military be under NATO command, but the Federal Republic could very easily make and keep the one promise that would assure everyone that a German army was not about to head for Moscow again. They would just have to promise not to include the half a million or more horses they would need in their military apparatus; nothing would be easier to verify--and no one in the Federal Republic has the slightest interest in raising them. There are risks to this policy option, but the situation of the last 40 years, with well over a million solders with thousands of nuclear weapons facing each other in Central Europe, was hardly riskless.

As we look to the future, we will do well to consider both the wide range of opportunities as well as dangers illuminated by the past, remember that we will never live in a riskfree world, and meet new challenges with eyes alert to the possibilities for arriving at arrangements which offer more security, fewer risks, and a better life for all. What is called for is not a fixed recipe but rather an open eye for change in a constantly changing world.

BANKS, LAW, AND POLITICS: THE ORIGINS, OUTCOME AND SIGNIFICANCE OF THE DEVEAUX CASE

W. Calvin Smith
University of South Carolina at Aiken

Historical mention of banks, law, and politics in early American history inevitably brings *McCulloch* v. *Maryland* to mind. For anyone with more than a cursory knowledge of the topic, *Osborn v. The Bank of the United States* may also come into mental view. Rarely would anyone, except the most serious legal or bank historian perhaps, express awareness of *Bank of the United States v. Deveaux*, an early predecessor of *McCulloch v. Maryland* that originated from the same issues as the later, more famous, case. The Supreme Court, presided over by John Marshall, heard this case involving the first Bank of the United States and state taxation thereof ten years prior to *McCulloch*. Yet at that time, for reasons explored herein, Marshall's court avoided ruling on the bank's constitutionality as well as the priority of a state tax on a federal instrumentality.

That there should *not* be more awareness of the Deveaux case and the court's omission of a ruling on the first bank's constitutional legitimacy is hardly surprising. Texts, monographs, and general studies on the bank have usually bypassed, sidestepped, or otherwise disregarded the case. In their early *History of the First and Second Banks*, John Holdsworth and Davis Dewey dismissed *Bank of the United States v. Deveaux* with the remark that it "was appealed to the Supreme Court of the United States, where it became involved in technicalities."[1] Their statement appears to have set the tone for subsequent bank historians James Wettereau and Bray Hammond.[2] Legal and court historians such as Charles Warren, Charles Haines, John Roche, and Kent Newmeyer have, of course, discussed *Deveaux*. Their usual interest in the case, however, has been primarily in terms of its role in federal corporate law development. This is understandable, since that *Deveaux* issue was part of the emergence of the said area of

[1]John Thom Holdsworth and Davis R. Dewey, *The First and Second Banks of the United States* (Washington: GPO, 1910) 123.
[2]James O. Wettereau, "The Branches of the First Bank of the United States," *Journal of Economic History* 2 Supplement (1942): 84; Bray Hammond, *Banks and Politics in America from the Revolution to the Civil War* (Princeton: Princeton UP, 1957)127.

federal law. Their attention to the underlying historical and constitutional issue of state taxation of the federal bank has been generally confined, with little explanation, to the observation that Marshall waited until "a more propitious occasion" to "take this particular (constitutional) test."[3]

Early works in constitutional history were not much different in taking note of *Deveaux's* significance in court history. Albert Beveridge and Edward Corwin, for example, gave the impression that the Supreme Court under Marshall, from *Marbury* in 1803 to *McCulloch* in 1819, expressed a "tiger instinct for the jugular" refusing "to take a timid or obscure way to a merely tentative goal."[4] Such assertions of necessity had to overlook *Deveaux* because of the cautious element in the jurisprudence of the Marshall Court that it represented.

More recent studies of the Supreme Court *have* used the *Deveaux* case, along with others of the same era, to re-examine the early Marshall Court from an evolution of Court power standpoint. Herbert Johnson, for example, has presented a circumspect Court under Marshall, careful to protect itself and build its prerogatives slowly by evolving the "rule of law" in its jurisprudence of the Jeffersonian period.[5]

If one combines this more recent view of the early Marshall Court with the politico-historical realities of the final years of the first bank, it becomes possible to propose a comprehensive, though hypothetical, construct regarding *Deveaux's* outcome and significance. In so doing, the reasons why the constitutional problem of state taxation of a federal instrumentality was avoided in 1809 and delayed until "that more propitious occasion" of 1819 are provided.

The events that would result in the *Deveaux* case began with the decision of the Bank of the United States to open a new branch in Savannah, Georgia. The parent bank, responding to a business downturn between 1801 and 1803 and the Jeffersonian treasury's debt repayment efforts, viewed Savannah as a likely new area for investment. That port's increasing volume of shipping and trade, the lack of any other banks in the area, and the eagerness of local merchants to assist in launching a branch of the bank enhanced prospects of financial success. By the end of summer 1802 the bank had completed its preparations and the Savannah Office of Discount and Deposit of the Bank of the United States began operations.[6]

Over the next several years, the bank's ability to augment capital won it approval in the region from prominent businessmen. But there were problems. Traditional agrarian opposition to paper money and bank manipulation thereof gave a source of

[3]Charles Warren, *The Supreme Court in United States History*, 2 vols. (Boston: Little, 1926) 1: 391; Charles G. Haines, *The Role of the Supreme Court in American Government and Politics, 1789-1835* (Berkeley: U of California P, 1944) 278; John P. Roche & Stanley Bernstein, eds., *John Marshall, Major Opinions and Other Writings* (Indianapolis: Bobbs, 1967) 115-116; R. Kent Newmyer, *The Supreme Court under Marshall and Taney* (Arlington Heights, Ill.: AHM, 1968) 76-77. The quotation is from Haines, 278.

[4]Edward S. Corwin, *John Marshall and the Constitution; a Chronicle of the Supreme Court* (New Haven: Yale UP, 1919) 123, 130; Albert J. Beveridge, *The Life of John Marshall*, 4 vols. (Boston: Houghton, 1916-1919) 3: v, 4: 282-339. The Quotation is from Corwin, 123, 130.

[5]George Lee Haskins and Herbert A. Johnson, *Foundations of Power: John Marshall, 1801-1815*, vol. 2 of *History of the Supreme Court of the United States*, ed. Paul A. Freund (New York: Macmillan, 1981) 396-399, 405-406; Herbert A. Johnson, "The Rule of Law and Judicial Review in the Marshall Court, 1801-1815," AHA Convention, December 1978.

[6]Wettereau 83-84; Hammond 137; *Columbian Museum and Savannah Advertiser*, 25 June 1802; Joseph Habersham, letter to Thomas Willing, 23 April 1802, Gratz Collection, Historical Society of Pennsylvania; *Georgia Gazette*, 2 Sept. 1802.

suspicion and wariness.[7] Then, too, the bank directors' preference to make loans to "gentlemen in point of fortune and respectability and character" as opposed to "young merchants of no fortune" alienated would-be entrepreneurs.[8]

The alienated and the suspicious at length sought economic action against the bank through the state legislature. With their anti-bank sentiments strengthened because of the "Federalist" leaning of the bank's directors in a state with a growing Jeffersonian majority, the bank's opponents succeeded in placing a tax on the capital and issued notes of the Savannah branch in December 1805.[9] To demonstrate their determination, they included a provision directing the tax collector to proceed against the bank's property should it fail to pay the tax.[10] Viewing the tax as exorbitant and shocking, the Savannah directors communicated the "very extraordinary measure [of] the party now in power" in Georgia to the main office in Philadelphia. In reply, they received instructions to follow "such measures as will bring the question before the Supreme Court of the United States."[11]

The Savannah directors, agreeing to take that step when necessary, refused to pay the tax voluntarily and, in the meantime, maneuvered in the legislature to have the tax repealed. Their efforts met only partial success. A memorial requesting suspension of tax collection until the bank could study the issue further was tabled, and tax repeal proved impossible in the face of strong opposition from the Jeffersonian majority.[12] The bank was not friendless, however. Its supporters did obtain a reduction in the tax amount and fought off an effort to reimpose the original tax should the bank fail to make a return of its capital within sixty days of the law's passage.[13] In a legislature with a majority convinced that a federal bank was subject to the taxing power of the sovereign state, the bank's friends had, in sum, achieved only reduction and delay.

Its political efforts thus less than desired, the bank had to decide whether to pay this new, smaller, less burdensome tax or remain adamant and question the constitutional right of the state's action in federal court. It preferred the latter course. Compliance with the legislative decision, its directors feared, would encourage other states in which branches existed to follow Georgia's example, bringing ruin to the national institution.[14] Accordingly, the bank continued to refuse to pay the tax, prompting state collection by force. On April 20, 1807 tax collector Peter Deveaux, accompanied by the local sheriff, entered the branch office and seized two boxes of specie. The bank thereupon directed its attorney to bring suit against the tax collector in federal court "for the purpose of trying the right of the state of Georgia to impose a tax on the branch of the said bank

[7]T. P.. Govan, "Banking and the Credit System in Georgia, 1810-1860," *Journal of Southern History* 4 (1938): 165.

[8]Habersham to Willing, 23 April 1802; Jacob Read, letter to George Simpson, 9 Jan. 1806, Gratz Collection, Historical Society of Pennsylvania; Holdsworth and Dewey 124-125.

[9]Augustin S. Clayton, *A Compilation of the Laws of the State of Georgia, passed by the Legislature Since the Political Year 1800 to the Year 1810, Inclusive* (Augusta, Ga., 1812) 254; Read to Simpson, 9 Jan. 1806; Thomas Gamble, *Savannah Duels and Duellists, 1733-1877*(Savannah, Ga.: Review, 1923) 109-110.

[10]Clayton 254-255.

[11]Read to Simpson, 9 Jan. 1806; Joseph Habersham, letter to Thomas willing, 17 Feb. 1806, Habersham Family Papers, Duke University.

[12]Read to Simpson, 9 Jan. 1806; Habersham to Willing, 17 Feb. 1806; Georgia, *House Journal*, 1806 special sess. (Augusta, Ga., 1806) 56 ff.; Gamble 110-112.

[13]*House Journal*, 1806 special sess. 56 ff.; Georgia, *House Journal*, 1806 sess. (Augusta, Ga., 1807) 246; Clayton 301-302, 349.

[14]Habersham to Willing, 17 Feb. 1806; Hammond 222-223.

(of the United States) established at Savannah."[15] Litigation would now begin.

When the Sixth Federal Circuit Court convened in December 1807, bank attorneys petitioned to have Deveaux and Sheriff Thomas Robertson appear and answer charges that they had financially damaged the "President, Directors, and Company of the Bank of the United States" to the extent of $3,000, an amount sufficient to give the circuit court cognizance. Lawyers for the state and local officials immediately entered a plea to the jurisdiction of the court. They contended that the bank was a "body politic and corporate" and could not sue or be sued in federal court by any constitutional or legal right.[16] In responding to this jurisdiction plea, the bank's attorneys presented two points. First, they asserted citizenship diversity, i.e., that plaintiffs were citizens of Pennsylvania suing citizens of Georgia. Second, they claimed that since the bank was a United States corporation, any questions concerning it were federally justiciable. If this were not so, they concluded, then the very constitutionality of the bank's charter was at stake.[17] In this fashion, the two jurisdictional issues that the *Deveaux* case carried through the federal judiciary emerged. Yet behind both loomed the broader constitutional question of state taxation, and thereby possible destruction, of a federally-created entity. Should jurisdiction be accepted, the constitutionality of the bank and federal limits on state taxing power thereof would have to be determined.

Justice William Johnson presided over the Sixth Circuit Court at the time, and to him fell the first ruling on these issues. Johnson had the distinction of being both a South Carolinian and Thomas Jefferson's first appointee to the Supreme Court. Jefferson's eagerness to alter the Federalist-dominated bench following his presidential victory is well-documented. Impatient that "few die and none resign," he had tried various means to bring the court under his sway. Thus, when he finally had an opportunity to appoint, he had chosen Johnson of South Carolina after careful scrutiny. Johnson was, according to the report on him to Jefferson, "an excellent lawyer, prompt, eloquent, of irreproachable character, Republican connections, and of good nerves in his political principles. . . ."[18] This Jeffersonian justice opposed at the time "excessive" use of broad construction and believed that the legislature, not the courts, best expressed the will of the people. Further, he viewed federal jurisdictional power as carefully defined and limited by the Constitution.[19]

Johnson's ruling in the *Deveaux* case on the jurisdictional issue reflected the above principles. He did not agree that the bank had proved federal jurisdiction either by the circumstance of the parties in the case or the possible conflict of state and federal law therein.[20] Instead he ruled that the bank had brought suit in its corporate capacity, not

[15]Bank of the United States v. Deveaux, et. al., 2 Federal Cases 692 (1800); Bank of the United States v. Peter Deveaux and Thomas Robertson, Case File, Records of the United States Circuit Court, District of Georgia. Case B. Box 11 (Federal Records Center, East Point, Georgia).

[16]Bank of the United States v. Peter Deveaux and Thomas Robertson, Case File.

[17]Bank of the United States v. Peter Deveaux and Thomas Robertson, Case File; *Republican and Savannah Evening Ledger*, 9 June 1808.

[18]"Characters of the lawyers of S.C.," Archives of the Department of State, quoted in Donald G. Morgan, Justice William Johnson: *The First Dissenter* (Columbia, S.C.: U of South Carolina P, 1954) 50.

[19]Donald Morgan, "William Johnson," *The Justices of the United States Supreme court, 1789-1969*, ed. Leon Friedman and Fred Israel, 4 vols. (New York: Bowker, 1969) 1: 358-364.

[20]2 Federal Cases 692-693.

as individuals; and corporations did not come under constitutional notice for federal cases. "A corporation," he asserted, "cannot with propriety be denominated a citizen of any state, so that the right to sue in this court under the Constitution can only be extended to corporate bodies by a *liberality* of construction, which we do not feel ourselves at liberty to exercise."[21] Therefore, citizenship diversity as an instance for corporations to enter federal courts was non-existent. Further, with regard to the possible conflict of state and federal law, Johnson saw no reason why a sovereign state should not tax property held within its jurisdiction, whatever the source of that property. The federal bank had not been granted any special tax-exempt status by the federal law creating it, and states had surrendered their taxing power to the federal government only in the instance of import-export duties. The bank, Johnson concluded, would simply have to go, as any other corporation, to the state courts if it believed its rights violated.[22]

Immediately upon learning Johnson's ruling, the bank petitioned for a writ of error to the Supreme Court.[23] It wanted to have the case heard quickly in that tribunal before the end of the year. Its charter was to expire soon and it had already petitioned Congress for its renewal.[24] It obviously did not want to have its national corporate capability subject to state whim once rechartered. Instead it preferred protection as a federal entity from anti-bank state laws. Who better to do this than the Federalist-dominated Supreme Court presided over by John Marshall, not unknown for his nationalist views?

Scheduling delays prevented the Marshall Court from hearing the case until the February 1809 term. Even so, the timing, from the bank's vantage point, was not "totally unpropitious." Jefferson would leave office on March third and the more amenable Madison would be President next day. Further, the case, although mentioned in the press, had not aroused any great furor. Newspapers in general were much too busy with news of the embargo, its pending repeal, and the war in Europe to make lengthy observations on a jurisdictional appeal that seemed primarily to involve corporate citizenship.[25] In addition, the passing of the impeachment and Burr trial antagonisms had diminished personal hazards Marshall might have faced from Jefferson and his supporters. Further, the Court still retained a Federalist majority after eight years of the Monticello sage.[26] Might not the bank expect a favorable ruling on jurisdiction and a subsequent favorable hearing on the state tax question?

When argument began before the Supreme Bench, bank counsel Horace Binney sought reversal of the denial of jurisdiction in the lower court on the two, now familiar, grounds of diverse citizenship and special tax-protected status of the bank. The spirit of federal law, he contended, demanded recognition of a corporation as a citizen for legal purposes. Since state courts could not be impartial in dealing with a corporation

[21]2 Federal Cases 693.

[22]2 Federal cases 693.

[23]Bank of the United States v. Peter Deveaux and Thomas Robertson, Case File.

[24]Matthew St. Clair Clarke & David A. Hall, comps., *Legislative and Documentary History of the Bank of the United States* (Washington, 1832) 115; *Republican and Savannah Evening Ledger*, 16 April 1808, 19 April, 1808.

[25]Bank of the United States v. Deveaux et. al., 5 Cranch 61 (1809); *National Intelligencer*, 1, 6 July 1808, Jan.-Feb. 1809.

[26]Irving Brant, "John Marshall and the Lawyers and Politicians," *Chief Justice John Marshall; A Reappraisal*, ed. William M. Jones (Ithaca, N.Y.: Cornell UP, 1956) 50; Haskins and Johnson 389-392.

chartered elsewhere, federal courts must acknowledge diversity of "citizenship" in such instances and assume jurisdiction. On the second point, he argued that federal courts had cognizance over cases involving the bank through the act incorporating it. Since its charter gave it a right to bring suit in "courts of record and any other place whatsoever," the justices must assume that Congress had intended to protect the fiscal agent of the United States from arbitrary state action via federal courts.[27]

As expected, respondent's attorney, Philip Key, denied that corporations were citizens capable of bringing suit in federal court. State courts alone were their recourse. To rebut the second point, Key maintained that federal status gave the bank no special federal court protection by *implication* from state authority. The Constitution, strictly interpreted, would have had to grant such protection to federal entities expressly, and it had not done so. Federal courts could take cognizance only where state courts had disregarded or misconstrued federal law.[28] As the case concluded, it was quite clear that the bank was contending for a liberal interpretation of congressional power under the Constitution and the respondent for a narrow one. Undoubtedly, the bank must have felt confident that broad Federalism would prevail over strict Jeffersonianism.

On March 3, 1809 Secretary of the Treasury Albert Gallatin recommended to Congress renewal of the Bank of the United States's charter. On March 4 James Madison replaced Jefferson as President. On March 15 Chief Justice John Marshall delivered the Court's opinion in *Bank of the United States v. Deveaux, et. al.*[29] The first two events pleased the bank. The third proved discouraging and something of a puzzle as the Chief Justice announced a strict, not a broad, jurisdiction basis for federal courts where the bank as a federal entity was concerned. He denied, as Johnson had, that the bank possessed any special federal-creation status granting it access to federal courts. Such a status had not been expressly given in the act incorporating the bank and could not be assumed by implication. Looking only at the exact wording, Marshall agreed that the bank would have to take its chances in courts that would ordinarily have cognizance of legal questions involving the bank, presumably state courts.[30] He did not even pursue jurisdiction on the grounds that a federal instrumentality could protect itself from state efforts to control, or destroy, it. This was neither a broad constructionist nor a nationalist speaking.

Turning to the diversity of citizenship issue, Marshall took a generally narrow view of corporations as citizens under federal law and the constitution. He agreed with respondent that a corporation was not a citizen and had no jurisdictional access to United States courts under the diversity clause. He did, however, modify the circuit court ruling and quality corporations to have cases originate in federal court on one narrow basis. Having heard other corporate citizenship cases argued at the same time as *Deveaux* and realizing some need for federal intervention on behalf of national business growth, he conceded that the court could look behind the corporate name to the real persons

[27]5 Cranch 63-72.
[28]5 Cranch 72-77.
[29]Edward C. Carter, "The Birth of a Political Economist: Matthew Carey and the Recharter Fight of 1810-1811," *Pennsylvania History* 33 (1966): 280; Holdsworth and Dewey 74; 5 Cranch 84.
[30]5 Cranch 85-86.

involved. If all of them met the diverse citizenship test, the corporation could then sue in federal court.[31] Thus Marshall edged in some nationalism, but still denied the bank its day in court. It could not meet the test he prescribed because a few of its stockholders, those who were directors of the Savannah branch, were citizens of Georgia.[32]

With the ruling that jurisdiction was lacking in either instance, the bank had lost and faced the humiliation of paying the state tax. *Deveaux* had ended, and the Constitutional questions the bank had wanted to raise went unanswered. The case faded into legal history as a curiosity in the evolution of federal corporate law that was set aside in 1844.[33] But, for the intrigued historian, *Deveaux* cannot end here. Knowledge of Marshall's generally broad-based, nationalist views makes the *Deveaux* ruling seem strangely out-of-touch with his attitudes. The question of why he was so "strict" where the bank was concerned in 1809 must be resolved. Marshall was not known for being a narrow legalist or a strict constructionist. So, could other issues have been at work where the bank itself, as opposed to corporations generally, was concerned?

Since there is no record of behind-the-scenes deliberations in this case and no Marshall memoirs have been found for clarification, a hypothetical historical construct becomes necessary to explain Marshall's action. The construct is plausible, if not totally provable, and it must begin with the notion that Marshall did *not* want to accept jurisdiction and have to rule on bank issues at this time. One starts with this notion because circumstances so suggest. The Chief Justice, for example, was thoroughly familiar with, and approved of, Hamilton's 1791 opinion on implied powers, an opinion made available for his biography of George Washington.[34] Surely the creation of a federal instrumentality implied its protection from harmful state action. In addition he could have established jurisdiction from the nature of the case, i.e., a controversy affecting a federal question.[35] Finally, if Justice Story can be believed, Marshall was never happy that his *Deveaux* ruling had made very narrow the door for corporations to sue in federal court.[36] Yet had he made it any wider, he might have had to accept jurisdiction in *Deveaux* on citizenship diversity grounds and rule on state taxation of the bank after all.

Building on this view that Marshall avoided jurisdiction, the construct continues by looking at two categories of evidence that support it. One of them may be called a "rule of politics" and the other the "rule of law." In the first instance, the principle is to be wary of aggravating an irritant unnecessarily, particularly if your own political strength has been weakened. Marshall knew the unfavorable opinion of the traditional Jeffersonians on the bank. He also knew that the opinion had gradually changed as Gallatin, Madison, and many Jeffersonian-Republicans in Congress had come to favor the "usefulness" of the institution. He further knew that the recharter issue had been before the country since

[31]5 Cranch 81-83, 86-92. *Strawbridge v. Curtiss*, 3 Cranch 267 (1806), had earlier dealt with a similar diversity instance, but in that case no corporate name was involved.

[32]Roche and Bernstein 116-117; Joseph Habersham, letter to George Simpson, 30 April 1802, Gratz Collection, Historical Society of pennsylvania.

[33]Louisville Railroad Co. v. Letson, 2 Howard 497 (1844); Roche and Bernstein 116.

[34]William MacDonald, "The Indebtedness of John Marshall to Alexander Hamilton," *Proceedings of the Massachusetts Historical Society*, 46 (1913) 419-421, 425.

[35]William F. Swindler, *The Constitution and Chief Justice Marshall* (New York: Dodd, 1978) 103.

[36]Justice Story, letter to Chancellor Kent, 31 August 1844 quoted in Warren 2: 121-122.

the bank memorial of March 1808.[37] Finally, he knew that he and Jefferson remained as symbolic representatives of an older quarrel regarding the proper role of the judiciary vis-a-vis the executive and legislative branches. Should that quarrel be reopened by judicial pronouncement on the constitutional issues surrounding the bank at the very moment Congress took up the recharter request, would not that request suffer? Even Gallatin had delayed submission of his report recommending rechartering until the day Jefferson left the presidency out of careful respect for "symbol."[38] Marshall, who was neither uninformed nor unimaginative, but shrewd, intelligent, and well-versed politically, undoubtedly reasoned that old partisan feelings should be left quiescent. The bank appeared to have an even chance of obtaining renewal of its charter in 1809,[39] why should the "symbol" of Federalist judicial entrenchment jeopardize it? Let the charter be renewed now. There would be another case, given the jealousies of the states and the commercial development of the day.

If these thoughts were in Marshall's mind, as evidence suggests, then his decision was politically wise indeed. It afforded no opportunity for politicians to fume against a Court that would dictate constitutionality to Congress. Even though the renewal effort failed, it did so by only one vote in each house of Congress where, during the debates, thirty-five of thirty-nine speeches dealt with constitutionality issues as administration workhorses led the fight for the bank which "Old Jeffersonians" opposed.[40]

The foregoing evidence is indirect, of course. It relies, as stated, on knowledge of Marshall as a politically aware person. The second category of evidence, though also circumstantial, does lean a bit more toward the direct since it relies on the earlier noted, recent interpretation of the pre-1815 Marshall Court.[41] That interpretation, derived from an examination of numerous Court decisions during the Jeffersonian era, argues that the Court adopted the "rule of law" concept at the time, at least in part to protect itself from Jeffersonian retaliation. The politics of the period, it maintains, stimulated the creation of a juridical viewpoint that a careful distinction exists between law and politics. Threatened with political impeachment and subjected to manipulation of term and duty, the Court's members knew that survival during this era depended on establishing and maintaining prestige in a hostile environment. Resultingly, the justices had to create an image of a Court capable of self-restraint, above partisan politics, and concerned only with the "rule of law."[42] Time and again in this period, their decisions pointedly denied the Court power. They used this method to create an institutional authority base which eventually would bring the Court respect and political independence.[43] Since the *Deveaux* case fell right in the midst of this institution building, Marshall's strict interpretation ruling can be seen as reluctance to discard lightly in 1809 what the Court had been painstakingly creating for over half a decade. "The duties of this Court," Marshall wrote in the *Deveaux* decision, "to exercise jurisdiction where it is conferred, and *not to usurp*

[37]Hammond 210; govan 45; Clarke and Hall 115.
[38]Carter 280.
[39]Carter 280.
[40]Holdsworth and Dewey 82, 97; Hammond 214, 220-223.
[41]Haskins and Johnson.
[42]John 1-5, 9; Haskins and Johnson 395-406.
[43]Johnson 11-17.

it where it is not conferred, are of equal obligation."[44] Through this kind of judicial restraint ruling, Marshall was clearly establishing that law was beyond mere politics, the essence of his "rule of law" task.

Thus our hypothetical historical construct provides some satisfaction to the question of why Marshall ruled as he did. He did so, it asserts, because his concern for both a rule of politics and the rule of law concept at a crucial time in Court history required that he not accept jurisdiction. Legalists, as well as Ranke historians, would be unhappy with this construct. They would, and have, preferred to see *Deveaux* significant only as a small step in the evolution of federal corporate law and Marshall acting in the only manner which the law precisely allowed. But, seen from a broader historical perspective under this construct, the case becomes a grand example of the wise use of judicial restraint so that Judicial activism may carry the day on a "more propitious" occasion. Although such restraint meant deferring both legal federal citizenship for corporations and the dictum that the power [of states] to tax involves the power to destroy [the national government], it also meant that Marshall could continue to build the court's institutional power base. From this base in the post-War of 1812 nationalist era, he could launch those well-known juggernauts of judicial nationalism, *McCulloch*, *Darthmouth*, *Cohens*, and *Gibbons*. Had he seized upon the *Deveaux* case to do so in 1809, it is unlikely his Court could have withstood an onslaught of the 1820s "Richmond Junta" variety.

[44] 5 Cranch 87 (Italics added); cf. Johnson 12.

"THIS SAD WORLD:" PREMILLENNIALISTS AND INTERNATIONAL PEACE DURING THE FIRST WORLD WAR

Richard M. Gamble
University of South Carolina

Many American evangelicals of the mid-nineteenth century believed that the bitter years of the Civil War were a prelude to glory. Post-millennialist in their eschatology, these reform-minded Protestants hoped to usher in the reign of Christ on earth through the preaching of a gospel of personal and social redemption. Building on the doctrinal foundation laid more than a century before by Jonathan Edwards, these Christians fully expected the progress of a militant Church culminating in the arrival of God's long-awaited kingdom. But the destruction brought by the war and the continued division and disappointment of Reconstruction betrayed this millennial hope. As historian Timothy Weber wrote, "postmillennialism was quickly losing credibility after the Civil War because, in the eyes of most people, things were getting worse, not better."[1]

Into the void left by the weakening of postmillennialism stepped premillennialism. Premillennialism offered to evangelicals the solace that the return of Christ did not depend on the success of human efforts--which certainly seemed to be failing at every turn--but that His reign would be accomplished supernaturally and with cataclysmic abruptness. This is not to suggest that postmillennialism died; far from it. But as a general rule, postmillennialism became the domain of liberal evangelicalism which retained its faith in inevitable progress and the perfectibility of mankind, while premillennialism became closely identified with conservative, revivalistic evangelicalism.[2]

[1]Timothy P. Weber, *Living in the Shadow of the Second Coming: American Premillennialism 1875-1982* (Grand Rapids, Michigan: Zondervan, 1983), p. 41. See also George M. Marsden, *Fundamentalism and American Culture: The Shaping of Twentieth-Century Evangelicalism, 1870-1925* (Oxford: Oxford University Press, 1980), pp. 48-55 for a detailed discussion of the decline of postmillennialism and the renewal of premillennialism among conservative evangelicals.

[2]It is tempting to generalize even further about premillennialism and label it "fundamentalism". Indeed, Ernest Sandeen in *The Roots of Fundamentalism: British and American Millennarianism, 1800-1930* (Chicago, 1970) identifies fundamentalism as an outgrowth of the revival of premillennialism (see pp. xiii-xxiii). The problem with this is that fundamentalism encompassed far more than eschatology. It included premillennialists, but it also included men such as William Jennings Bryan and J. Gresham Machen who were traditional Presbyterians in doctrine. It is appropriate, though, to say that as a "rule of thumb" all premillennialists of the early twentieth century are fundamentalists, but all fundamentalists are not premillennialists. Another problem with using the term fundamentalist is one of timing; strictly speaking, fundamentalism as a label did not appear until about 1920. Marsden in *Fundamentalism* defined fundamentalism more broadly than Sandeen and earlier historians. He applies it to "evangelical Christians, close to the traditions of the dominant American revivalist establishment of the nineteenth century, who in the twentieth century militantly opposed both modernism in theology and the cultural changes that modernism endorsed" (p. 4). This is probably the best

It was this premillennialism, this total dependency on the literal fulfillment of the apocalyptic teachings of the Bible to precede Christ's reign of peace, which conservative evangelicals brought with them from the nineteenth century into the twentieth. They faced the social, theological, and international circumstances of the new century equipped with a new world view: that one day, one day soon, world events would naturally flow toward a predicted and observable realization of prophecy. They pictured themselves as the realists of their generation who understood the true nature of man, the true nature of the world condition, and the proper relationship of man to that world.

In the middle of the material and technical progress of the early twentieth century, both premillennialists and postmillennialists recognized the serious social problems which mocked that very progress. Conservatives and liberals alike pointed to concentrations of wealth, militarism, luxury, and other evils which threatened to undermine the physical and spiritual well-being of all Americans.[3] Many Protestant liberals, though, saw reason for hope, and held up examples of tangible scientific and cultural advancement as proof that man was indeed capable of applying his knowledge to practical problems. Conservatives, on the other hand, saw more reason for despair.

The international situation preceding World War I provided the clearest indication to premillennialists that the world was in entropy and that it was only a matter of time before circumstances devolved beyond man's capacity to control them. R. A. Torrey, a leading premillennialist and former co-worker with D. L. Moody, declared in 1913 that "many of the greatest statesmen of England, America and Germany have forebodings which they scarcely dare to put in words of what lies just a little way ahead of the nations of the earth."[4]

Torrey, of course, was correct, and the war proved to be the greatest boost up to that time for the credibility of the premillennial position. Premillennialists had predicted, based on their understanding of the Bible, that a cataclysmic age known as the Great Tribulation[5] culminating in the Battle of Armageddon would precede the Second Coming of Christ. The war with its unprecedented suffering and destruction was undoubtedly qualified as a candidate for just such a tribulation , and its significance for the movement should not be underestimated. As Weber commented, "No event in the fifty years after 1875 did more for the morale of American premillennialists than World War I. There at last was indisputable vindication of their dire predictions about the inevitable decline

working definition of fundamentalism to date, incorporating both its theological and cultural sides. For a discussion of other aspects of theological regrouping within evangelicalism from Reconstruction through the first decade of the 1900s, see Grant Wacker "The Holy Spirit and the Spirit of the Age in American Protestantism, 1880-1910," *The Journal of American History*, 72 (June 1985), pp 45-62. For a general history of American religion at the beginning of the twentieth century and its confrontation with both theological and cultural modernism see Martin E. Marty, *Modern American Religion, vol. 1, The Irony of it All, 1893-1919* (Chicago: The University of Chicago Press, 1986).

[3] For an example of premillennial comment see the first few chapters of Charles Franklin Wimberly, *Behold the Morning! The Imminent and Premillennial Coming of Jesus Christ* (New York: Fleming H. Revel, 1916) esp. pp. 32-33.

[4] R. A. Torrey, *The Return of the Lord* (Los Angeles: The Bible Institute of Los Angeles, 1913), p. 109. Torrey was Dean of the Bible Institute of Los Angeles at the time.

[5] Premillennialists were divided into three camps in their position on whether or not believers would endure the Tribulation. One group, representing the majority and most of the leadership, taught that Christians would be taken out of the world before the Tribulation in a "secret rapture." The second position was that the Church would be delivered half-way through the Tribulation; the third, that Christians would experience it along with the rest of the world. On the rapture and divided opinion see Marsden, *Living in the Shadow*, pp. 21-22.

of the age."

The war ended in 1918, but the world did not, leaving premillennialists without an Armageddon. But this turn of events did not force premillennialists to modify their jeremiad against the world. A matter of weeks after the signing of the armistice in November, leading premillennialists came together for a large prophetic conference in Carnegie Hall, New York City. Its organizers called it "the greatest of its kind ever held in this country."[6] The speakers at the meeting pictured the war as merely the beginning of woes. The plight of Germany became an object lesson for them of what would happen to a nation if it was uprooted from a faith in the inerrant Word of God. After all, Germany had been, in their eyes, the fountain of higher criticism, which subjected the Bible to the scrutiny of modern science. Arno C. Gaebelein, himself a German immigrant, reminded the conference audience in his opening remarks that "it must be clear to every thinking Christian" that "the horrors of the past four years are connected with the rejection of this Book divine as God's Word and God's revelation. . . . Destructive Criticism and the new Theology robbed Germany of the faith in the Word of God and the Gospel of Christ; and then they were, under Satanic delusion, plunged into that which outraged the laws of God and man."[7] The point was not lost on the audience that America must avoid the folly of Germany.

With the war over, the obvious concern for premillennialists, as for the majority of Americans and Europeans, became the issue of world peace and America's role in the achievement and preservation of that peace. At that same New York prophetic conference in 1918, speaker after speaker expressed his desire for peace but raised doubts about its durability. The situation would not improve now that the war had ended, they reminded the audience; the promise of the Bible that wars would increase in the last days had not changed, the precipitous course of the world had not altered, and man's nature--the key to it all--had certainly not improved. They rejected the plausibility of world peace and the idea of a league of nations not out of some perverse wish for human suffering, but because their understanding of history, the heart of man, and the prophetic passages of the Bible prevented them from doing any other.[8]

Based on their reading of history, premillennialists repudiated both the hope of lasting peace and the efficacy of a league to build world peace. C. I. Scofield, famous at the time and today for his dispensational interpretation of the Bible[9] and for his widely popular study Bible based on that interpretation, reviewed the utopian literature of past "'optimists' [who] patter of peace when there is no peace" and observed that "when they have written, time counts out the days and years and they are still as before years of war, of the ruthless reign of the strong over the weak, of the delusions of a shallow optimism

[6]Weber, *Living in the Shadow*, p. 105. For a discussion of premillennialists and their perspective on World War I see Marsden, *Fundamentalism*, pp. 141-153, and Weber, *Living in the Shadow*, pp. 105-127.

[7]Arno C. Gaebelein, ed., *Christ and Glory: Addresses delivered at the New York Prophetic Conference, Carnegie Hall, Nov. 25-28, 1918* (New York: Publication office of *Our Hope*, 1919?),p.3.

[8]Gaebelein, "The Pre-eminence of the Lord Jesus Christ and His Coming Glory" in *Christ and Glory*, p. 12.

[9]For background on the premillennial position of the League of Nations, see Marsden, *Fundamentalism*, pp. 154-156, and Weber *Living in the Shadow*, pp. 125-126. For their opinion of the League in the 1930s and the approaching of world War II, see Weber, *Living in the Shadow*, p. 180.

which shuts its eyes to realities." He concluded that history is not silent on the potential for peace. If we would but look at the trail left by past civilizations, we would see that "there is absolutely no mystery about these evils. The oldest brick dug from a Mesopotamian mound bears the same record of ambition, pride, greed, which are making the history of to-day."[10]

This dark view of history was consistently held by premillennialists. At the Carnegie Hall conference, speakers cautioned their listeners to weigh carefully Woodrow Wilson's claim of making "the world safe for democracy." "As I read history," one commented, "the past is full of dead democracies, and the world was no safer with the democracies of the past than with aristocracies. . . ."[11] Torrey called the dream of world peace "delusive" on the basis that alliances of the past had brought war, not peace. Would a league of nations work any better, he queried? "First peace," he predicted, "and then the most awful war that this world has ever seen, culminating in political chaos. . . ."[12] Gaebelein summarized this pessimism by quoting Teddy Roosevelt's comment that the promise to end war based on a league "'is either sheer nonsense or rank hypocrisy,'" and remarked that the increasing problems in the world were rooted in "the dark shadow of lawlessness." Indeed, the war marked only the beginning of travail.[13]

At an earlier national prophetic conference held in May 1918, the fiery evangelist William B. Riley explained a second reason for the futility of a league: the nature of man. *"Who will make democracy safe for the world?"* he asked, reversing Wilson's promise. He admitted that democracies "have been more satisfactory than autocracies", but wondered how fallen man could hope to be corporately virtuous when he was individually perverse.[14] At the November conference, W. H. Griffith Thomas did not doubt that some sort of temporary peace would be achieved--from sheer exhaustion if nothing else--but, he observed, "as long as sin is in man's heart there is always the possibility of the flame bursting out afresh notwithstanding all that our politicians may do."[15]

A third reason premillennialists rejected the possibility of world peace is that such a concept was outside the biblical prophecies concerning both the general increase in warfare and the resurrection of the Roman Empire in the last days. As early as 1910, I. M. Haldeman, pastor of the First Baptist Church, New York City, wrote that "universal

[10]Dispensationalism is the teaching that God has dealt with mankind in distinct ways within divisions of history. Each time period is characterized by its degree of divine revelation, its degree of mankind's accountability, and therefore God's method of dealing with man. According to this view, God now works through an "Age of Grace" and the next dispensation will be the era of the Millennium. Scofield distinguished seven ages, and, through the wide-spread use of his *Reference Bible*, his position became the most commonly held. See note 20, p. 242, in Marsden, *Fundamentalism* and Weber, *Living in the Shadow*, pp. 16-24.

[11]C. I. Scofield, *What Do the Prophets Say?* (Philadelphia: The Sunday School Times Company, 1916), p. 159.

[12]Otho F. Bartholow, "A Pastor's Testimony" in Gaebelein, ed. *Christ and Glory*, pp. 64-65. Many premillennialists expressed their doubts over the ability of democratic government to secure peace. William Pettingill remarked that "while I am not a democrat, I am not just yet a monarchist, until the Monarch appears . . . . I hope that democracy will sort of hold together until the Autocrat comes whose right is the rule" ("The Church and the Kingdom" in Gaebelein, ed., *Christ and Glory*, p. 126). Democracy, though its triumph over autocracy was hailed by Gaebelein and others, did not hold the charm for premillennialists that it did for Wilson, Bryan, and others, who believed that democracies were by nature peace-loving.

[13]R. A. Torrey, "That Blessed Hope" in Gaebelein, ed. *Christ and Glory*, pp. 21-22.

[14]Gaebelein, "The Pre-eminence . . . ." in *Christ and Glory*, p. 19.

[15]W. B. Riley, "The Gospel for War times: in William L. Pettingill, ed. *Light on Prophecy: the Proceedings and Addresses at the Philadelphia Prophetic Conference, May 28-30, 1918* (New York: The christian Herald Bible House, 1918), p. 336.

disarmament is impossible. . . . It is impossible because the Son of God has said that war will continue among men till he returns." Quoting a passage from the Bible popular among premillennialists, Haldeman believed that "there will be wars and rumors of wars, [and that] kingdom will rise against kingdom and nation against nation." Clearly, even before the war in Europe seemed imminent, premillennialists offered no hope for world peace because the Bible--regardless of how postmillennialists read it--offered no such hope.[16]

In 1913 Billy Sunday threw out the possibility of world peace along with the entire concept of progress because of his understanding of the Bible. "Many have the idea," he wrote, "[that] the world will grow better and better until the coming of the millennium, and everybody will be converted, and you hear that stuff preached, but the Bible does not teach any such thing."[17] Just as a faith in world improvement had no basis in history or in the nature of man, neither had it any basis in general prophecy. Scofield picked up the theme in 1914 by reminding Christians that the "Lord paints no picture of the cessation of war in this age, not a hint of it."[18]

During the war the consensus was the same: the elusiveness of peace would confound peace conferences, those who promised an end to war were deceptive, and the prophetic promises of Scripture itself would have to be annulled in order to have peace. Nothing changed with the end of the war, either. Although some, such as W. B. Riley, claimed to support the goals of peace and called the war "folly", they saw only the renewal of wars in the future. America may try to end war, may try to teach the world how to live, as some hoped, preached Riley, "but such teaching is not according to my Book." "This war seems to be at an end," Riley continued, "but the peace that follows it will not be a lasting peace if the Lord be forgotten." This would not be the last world war.[19]

In addition to these general prophesies concerning the increase of war that belied the possibility of world peace, premillennialists also believed that a league of nations figured centrally in the fulfillment of specific prophecies in the Bible. Its formation would be the prelude to the apocalyptic Armageddon; the league would be a supremely ironic confederation for peace out of which would spring the Antichrist, who would bring destruction upon all mankind. From their reading of the Old Testament book of Daniel and correlating this interpretation with the book of Revelation, premillennialists believed that a new empire would emerge in Europe which would actually be a confederation of nations, in essence the revival of the old Roman Empire, what Daniel called the "fourth kingdom." Furthermore, the "Beast", or Antichrist, would arise as the leader of this confederation. The Antichrist would eventually engage the nations of the world in a war centering on the nation of Israel--the restoration of which premillennialists had

[16]W. H. Griffith Thomas, "The Prince of Peace" in Gaebelein, ed. *Christ and Glory*, p. 222.
[17]J. M. Haldeman, *The Signs of the Times* (New York: Francis Emory Fitch, 1910), p. 337.
[18]William Ashley Sunday, *The Second Coming* (Sturgis, Michigan: The Journal Publishing Company, 1913), p.8.
[19]Scofield, "The Doctrine of the Last Things as Found in the Gospels" in *The Coming and Kingdom of Christ: A Stenographic Report of the Prophetic Bible Conference Held at the Moody Bible Institute of Chicago, February 24-27, 1914*, (Chicago: The Bible Institute Colportage Association, 1914), p. 117. See also Grant Stroh, "The Approaching World-Crisis" in Pettingill, ed., *Light on Prophecy*, p. 166.

predicted--and culminating in the battle of Armageddon, at which point Christ would return to defeat Antichrist and establish his millennial kingdom.[20]

Haldeman explained it thus: "Within the limits of the old Roman empire there will be a parliament of the nations, an assembly of ten kings. Out of this parliament of the nations will come the man of sin--the Antichrist." As early as 1910 he observed international events which he believed signaled the coming of a great confederation "as straws show the way of the wind." This cooperation was inevitable, he wrote, once man believed that the world could not survive without it.[21] Scofield, the organizer and disseminator of much of the dispensational and premillennial interpretation of the Bible, scoffed at the idea of a "United States of the World." If our own nation could not escape a civil war, he reasoned, how could we expect the world to do any better? "The peace which for a little time results" from such a federation of nations, he wrote, "is that of universal subjugation to earth's last and most hateful despot, and it ends in Armageddon."[22] The league would culminate in disaster.

This view of the league and its role in biblical prophecy reveal a certain ambivalence in the views of premillennialists. This double-mindedness took two forms. First, if the formation of a league signaled the approach of the end of the world and the coming of Christ to set up his kingdom, then expectant, watchful Christians should have welcomed such significant events with outstretched arms. The United States' support or even union with an international organization would, theoretically at least, and certainly in popular opinion, ensure the success of the league. Why, then, did premillennialists not support a league if doing so would help push the world to the brink?

Obviously, no Christian wanted to be part of the opposition to God by being on the side of the Antichrist. But, more subtly, these Christians were Americans who feared for their country, who believed that involvement in a league would drag the United States into every European squabble. As Torrey noted, "We have had holy alliances before. What came of them? Disappointment and calamity. We have had the triple alliance of the Central Powers, and the triple entente of France, England and Russia. And what came of them? The present war." For Torrey it was a matter of simple logic.[23]

A second expression of ambivalence was the premillennialist attitude toward peace in general. Again, world tensions were a "sign of the times" as was so often said. Should they not be welcomed then? But these Christians were also humans, humans who had shared the losses of war. At the time of the two major prophetic conferences in 1918 they still had sons overseas, sons they feared for. At the Philadelphia meeting the

[20]Wimberly, *Behold the Morning*, pp. 33-34. I. M. Haldeman, *Ten Sermons on the Second Coming of Our Lord Jesus Christ* (New York: Fleming H. Revell, 1917), pp. 586-587, 589.

[21]William B. Riley, "the Last Days, the Last War and the Last King" in Gaebelein, ed., *Christ and Glory*, pp. 169-170, 172.

[22]For a detailed and lucid description of these events see Weber, *Living in the Shadow*, pp. 106-115 and Marsden, *Fundamentalism*, pp. 52-53. The plausibility of premillennialism grew with the war, the return of Jews to Palestine, and the formation of a confederation in Europe. for the significance of the return of the Jews see Weber, *Living in the Shadow*, pp. 128-157. Another lively but less careful study of premillennialism is Dwight Wilson, *Armageddon Now! The Premillennarian Response to Russia and Israel Since 1917* (Grand Rapids, Michigan: Baker Book House, 1977). As its subtitle suggests, it is a discussion of premillennial thought concerning Russia and Israel, both central to premillennial eschatology.

[23]Haldeman, *Signs of the Times*, pp. 336-337.

leadership read to the audience from President Wilson's proclamation for a week of prayer, part of which petitioned the Almighty to "bring us at last the peace in which men's hearts can be at rest because it is founded upon mercy, justice, and good-will." They also offered a "special prayer in behalf of the boys at the front", asking God to "give victory, we beseech Thee--victory, victory--for the honor and glory of Jesus Christ."

They prayed for deliverance in the midst of tribulation as any Christian or patriot would and did, but the focus of premillennialism remained on ultimate solutions to the world's problems. This approach influenced evangelism and social work as well as eschatology. Socially they sought to change the community by first changing the individual. "We believe in reconstruction," retorted one to the charge that premillennialists were indifferent to social service, "but reconstruction based on regeneration."[24] In this same way, with an eye on the ultimate rather than temporal good, these premillennialists preached what was to them a very real hope.

Writing of this hope in a book first published in 1898, W. E. Blackstone said, "there is no hope . . . for the world, but," he added as the key to it all, "in the coming of Christ the King."[25] In a telegram to the Philadelphia prophetic conference, Scofield, who was unable to attend because of illness, expressed much the same idea when he asked God's guidance "in the putting forth of a fearless warning that we are in the awful end of the Times of the Gentiles, with no hope for humanity except in the personal return of the Lord in glory. . . ."[26]

At the same conference one speaker even held out the hope of international cooperation. But again, it would be an ultimate, permanent solution arrived at on God's terms. "This world is yet to have an international court of arbitration," he said, "from the decisions of which there will be no appeal. There will be just one Arbiter in that court, but he will be the King of kings."[27]

Premillennialists did not offer despair to Americans as was so often charged. They had absolutes in a world of change, comfort in a world of turmoil, and security in a world of uncertainty. As the coordinators of the Philadelphia conference exulted, "in the shadow of the tragedy of world-wide war Christians everywhere have been burdened in spirit and bewildered in mind by the complex conditions of the hour. But with an eagerness springing from a sense of personal need and a newly awakened desire to know the purposes of God as revealed in His Word, many are turning with . . . restful assurance to the prophetic utterances of the Word of God for light."[28] R. A. Torrey graphically summarized the alternatives open to those who rejected the ultimate solution to the world's evils. "If the Lord Jesus were not coming," he said in 1918, "there would

[24]Scofield, *What Do the Prophets Say?*, pp. 10, 18-19. This belief that the league was the literal fulfillment of the prediction of a confederation of nations was not confined to American premillennialists. W. Lamb, an Australian, proposed the same connection as well in *Dark Days and Signs of the Times* (Sydney: The Australian Baptist Publishing House, 1918), p. 166.

[25]Torrey, "That Blessed Hope" in Gaebelein, ed., *Christ and Glory*, pp. 21-22.

[26]Pettingill, *Light on Prophecy*, p. 213. At the November conference in New York, Arno Gaebelein read messages from Wilson and Vice-President Marshall which admonished the audience to read and obey the Bible. The message from Wilson, however, was from an earlier address which was sent to Gaebelein along with permission to quote any part of it.

[27]Thomas, "The Prince of Peace" in Gaebelein, ed., *Christ and Glory*, p. 228.

[28]W. E. Blackstone, *Jesus is Coming* (Chicago: Fleming H. Revell, 1908), p. 149.

be and could be nothing for this sad world to do but to build its merciless dreadnaughts [sic] and submarines and zeppelins and airplanes, and devise more and more destructive gases and more powerful and more frightful explosives and go on fighting one another until this world became transformed into one universal charnal [sic] house of maimed, tortured, dying and dead. War will continue, more frightful wars even than this, until He comes, but His coming, the Prince of Peace, will end it all."[29] Grim fatalism? Perhaps. But to these preachers it was simply sane realism.

Striking in all of these statements is the fundamental *agreement* between premillennialists and modernists on the goal of world peace. Even though they represented the polarities of opinion of what path to take to that peace, they concurred on the necessity for a global solution for the predicament of modern man. One saw man's capacity for evil, the other for good; one saw cultural regression, the other progress; one saw mankind as individually salvageable, the other collectively. Both also recognized the same problems and the same needs, and both offered the same solution. As Timothy Weber noted, "they both looked for a millennium."[30] But it was the means to achieving the reign of Christ that shaped the conflict between premillennialists and progressive theologians, especially during the war years, and it was the definition of that millennium which was the key to their controversy.

Probably the most illustrative trading of barbs between the premillennialist and modernist camps was over the question of optimism. In an age which had ventured so much of its world view on the validity of optimism, it is no wonder that "pessimist" became the worst epithet imaginable and the one to be disowned with the greatest vigor. The modernists called the premillennial view "pernicious", and the premillennialists responded by calling unqualified optimism the "refuge of lies."[31]

This conflict surfaced as early as the 1890s in the work of W. E. Blackstone, but reached a crescendo in the war years that became deafening by 1919. Blackstone believed that premillennialists were under attack for being "opposed to the popular idea, viz.: that the world is growing better. . . ." But, he claimed, he would rather offer what is called "despair" than "deceive [sinners] with the hallucination that they are *'growing better'*. . . ." To do otherwise would be to deny that the future was indeed dark for those "who are full of unbelief."[32]

C. I. Scofield, commenting prior to America's entry into the war, drew a sarcastic analogy between contemporary optimists and the prophets of ancient Israel who emptily promised fortune on the eve of disaster. "The false prophets," he jabbed, "had a sing-song message. It was, 'peace, peace, peace', when there was no peace. They looked about them and they saw at the moment Israel at peace, prosperous, everything looking hopeful. They were the cheerful optimists of that time, and their message was a welcome

[29]Scofield quoted in Pettingill, *Light on Prophecy*, p. 32. The "Times of the Gentiles" is the era in which the Jews would suffer under Gentile domination ending with the return of Christ. See Weber, *Living in the Shadow*, p. 92.

[30]B. B. Sutcliffe, "Has God a Program?" in Pettingill, ed., *Light on Prophecy*, p. 272.

[31]From "A Call For a Bible Conference On the Return of Our Lord" in Pettingill, ed., *Light on Prophecy*, p. 7.

[32]R. A. Torrey, "God's Answer to Infidelity" in Gaebelein, ed., *Christ and Glory*, p. 144.

message."[33] Premillennialists were willing to view the world differently since for them it meant preserving a more basic belief, their belief that mankind was better served by a realism based on revealed truth than an optimism based on fragile hope. After all, they reasoned, didn't the war remove every foundation for such an elusive hope?. Before the tragedy in Europe, Charles Wimberly remarked in 1916, "anyone who presumed to see other than an undisturbed reign of peace was a pessimistic, disgruntled calamity howler." Wasn't the premillennial view of entropy the more rational, he argued? "Is it not better to be a pessimist in line with the truth than an optimist, and feel the sands continually being washed out from under us? Away with an optimism that can be satisfied sheltered under a 'refuge of lies'; better a thousand times be a green-eyed pessimistic calamity howler, and be on the side of truth." Man's heart, he admitted does desperately want to believe in a brighter future. "There is something in us," he wrote, "that craves such a gospel. . . . Optimism is delicious. . . ."[34]

Many premillennialists claimed to be the only true optimists in the world. They recognized the condition and destiny of the human race, but since they were waiting for a divinely enacted millennium, they had reason for hope. Like their solutions, their optimism was also ultimate. R. A. Torrey vigorously defended his optimism. "But," he claimed, "[the writer] is not a blind optimist. His optimism is not the result of shutting his eyes to unpleasant facts; his eyes are wide open to the awful injustices that rule in human society as at present constituted." "If he did not believe [what the Bible teaches concerning the Second Coming of Christ]," he continued, "he could not but be a pessimist, knowing what he does of social conditions and the trend of human society today." The coming of Christ, he concluded, was the "perfect solution."[35]

Optimism had been appealing. It is difficult for us who live in a world which is more frequently minimizing losses than making gains, to understand just how powerful faith in progress was; it had even become the basis of values in the axiology of Pragmatism. By the late nineteenth century, many intellectuals, in Europe and America, had begun to give up on Progress; a darkness pervaded the novels of Theodore Dreiser, and a sense of personal and national failure began to haunt Henry Adams. Progress for these men had been supplanted by a crushing determinism.[36] But it was the religious progressives, the modernists, who held on to optimism most tenaciously, even throughout the most horrible war man had known.

[33]Weber, *Living in the Shadow*, p. 102. The position of William Jennings Bryan on the League illustrates the difficulty of establishing a "fundamentalist" opinion toward international cooperation. He called the League "the greatest step toward peace in 1,000 years." [Quoted in C. Allyn Russell, *Voices of American Fundamentalism: Seven Biographical Studies* (Philadelphia: The Westminster Press, 1976), p. 167]. Bryan was also optimistic about the future and man's capacity for good. "My faith in the future," he wrote, "rests upon the belief that Christ's teachings are being more studied today than ever before and that with the larger study will come an application of these teachings to the every day life of the world." This quotation is from the printed form of a popular Chautauqua lecture: William Jennings Bryan, *The Prince of Peace* (Louisville, Kentucky: The Herald Press, n.d.), p. 30. But again, the goal is the same: world peace through the "reign of Christ", however that wad defined.

[34]Another characteristic premillennialist sensitivity concerned practicality. Many of speakers and writers went to great lengths to prove that premillennialism was "practical." It is interesting that a group which no doubt officially rejected the philosophical basis of Pragmatism spent so much time proving that their beliefs "worked." W. E. Blackstone in *Jesus is Coming* devoted an entire chapter to the practicality of premillennialism (pp. 180-182).

[35]For the exchanges between fundamentalists and medoernists during the war, see Marsden, *Fundamentalism*, pp. 146-148.

[36]Blackstone, *Jesus is Coming* p. 142, 144 (emphasis his).

Shirley Jackson Case of the University of Chicago Divinity School was perhaps the most outspoken in his attacks on premillennialism, even to the point of suggesting that the movement was being financed subversively by the Kaiser.[37] In *The Millennial Hope: A Phase of War-Time Thinking*, Case defended the modernist belief that "permanent relief [is] to be secured only by a gradual process of strenuous endeavor covering a long period of years" against the "pernicious" view of the premillennialists.[38] Case was incredulous that at the time when the world most needed the efforts of everyone to work toward the prevention of another war, the premillennialists were abandoning the ship and perhaps even helping to fulfill their own dire prophesies. He consigned the outlook of these biblical literalists "to a prescientific age when primitive thinking derived the imagery for its expression from a purely mythological interpretation of the universe."[39]

Case went on to condemn premillennialists for doing nothing for the present ills of society and for considering anyone who did not accept their eschatology as eternally damned. These charges are demonstrably false, but the point here is that premillennialists were considered outsiders, or, in current jargon, they were not part of "mainstream America."

This "outsider" theme was picked-up in the popular and religious press in 1919. *The Literary Digest* in March 1919 surveyed several denominational periodicals to judge their general opinion toward the League of Nations. The *Congregationalists*, as quoted in the article, believed that "no more important duty rests upon the churches and other organizations of right-minded men and women than to put themselves strongly on record as in favor of the idea of a League of nations. . . ." It continued by calling for Christians to "fall in line." One Presbyterian paper believed that the day of "universal brotherhood" had come, and *The Christian Century* joined the chorus by calling on Christians to "organize the world anew, making it safe for all the finer influences to run and be glorified. . . ." [40]

Later in March *The Literary Digest* once again reviewed the religious press on its response to how politicized the League issue had become. The *Congregationalists* blamed opposition to the League on a "prejudice against, or distrust of, President Wilson", and the editors of *The Literary Digest* concluded that "not one member of [the religious press], so far as we have observed, opposes the League *in toto*." The denominational papers of the Congregationalists, the Presbyterians, and the Methodists, all defended the League.[41] By the following November *The Literary Digest* was reporting that, according to a survey by the National Committee on the Churches and the Moral Aims of the War which appeared in *The Christian Work*, only one pastor in twenty of 17,000 questioned opposed

[37] Scofield, "The Doctrine of the Last Things as Foretold in the Prophets" in *The Coming and Kingdom of Christ*, pp. 40-41. Scofield continued by saying, "For all I know they may have been great on statistics. They may have been able to point out that while the population had increased two per cent, the sacrifices had increased three per cent." This was no doubt a poke at the scientific approach of modernists to matters of the heart.

[38] Wimberly, *Behold the Morning!*, *pp. 44, 203.*

[39] Torrey, *The Return of the Lord*, pp. 7,8.

[40] For Henry Adam's obsession with determinism see the last several chapters of *The Education of Henry Adams.*

[41] See Marsden, *Fundamentalism*, p. 147, in which Case is quoted as saying, "Where the money comes from is unknown, but there is strong suspicion that it emanates from German sources. In my belief the find would be a profitable field for governmental investigation."

the League. The surveyor held up as exemplars pastors such as the one in Kansas City who "by day and night" tirelessly spoke out for the League both in public lectures and in the city newspaper he owned.[42]

Opinion, then, in the mainline denominations, had consigned opposition to the League by Protestants to those who were not "right-minded", who did not "fall in line", who possibly held a grudge against Wilson, and whose leaders were part of a narrow-minded five percent. They were stubborn in the face of overwhelming public support, concluded *The Christian Work*, like the Senator who supposedly fumed that "if Jesus Christ appeared on earth and commanded that the Senator cast his vote in favor of the League he would refuse to do it."[43]

Many of the denominations were active in their support of the League. Their journals urged readers to write letters to their Senators and make their opinions known. W. G. McAdoo, addressing the crowd in Columbus, Ohio, at the Methodist Centenary Celebration in 1919, called for "cooperation between all denominations of the Christian Church. . . . [The world's salvation] will require the mobilized effort of the Church militant to secure the fruits of the great victory for liberty, democracy and world peace which has been won. . . ." In supporting the league, he believed, the "Church faces its noblest opportunity and its greatest responsibility."[44]

Whether premillennialists were similarly active in their opposition to the League is another matter. Although they forcefully denounced the League as futile, or even Apocalyptic, it is fairly safe to assume that they limited their opposition to rhetoric, stopping short of direct efforts to defeat the League. Up to this point in their history, premillennialists had been concerned mainly with articulating and reaffirming the fundamentals of conservative evangelicalism, with the spread of the gospel through home and foreign missions, and with shaping and defending the doctrines of their eschatology; they had not been political.[45] But with the controversy between fundamentalists and modernists during the war and then in 1919 during the League debate, the issues which had divided these foes for so long were forced into the public arena. The year 1919 marks a watershed for premillennialism and for fundamentalism in general. It was at this point, noted George Marsden, that tension between "cultural trends and the attempt to continue to respond only in the realm of prophecy and evangelism was more acute than ever." Premillennialism, as much as it had focused on individuals and their relationship to the world, had now taken sides not only over a national issue but over an international one as well. Having been reinforced by the controversy over the realization of world peace, the battle lines between fundamentalism and modernism were now drawn beyond the limits of pew and pulpit and out into society itself.

[42]Shirley Jackson Case, *The Millennial Hope: A Phase of War-Time Thinking* (Chicago: The University of Chicago Press, 1918), p. v.

[43]Case, *The Millennial Hope*, p. 237.

[44]"The Church Press on the Peace League", *The Literary Digest*, v. 60, n. 10 (March 8, 1919) pp. 32-33.

[45]"The Church Rebuking Peace-League Politics", *The Literary Digest*' v.60, n.13 (March 30, 1919), p. 32. There is no indication in premillennial publications that they rejected Wilson. On the contrary, premillennialists appear to have had great respect for his moral leadership and views on the importance of the Bible in American life.

INTERNATIONAL CIVIL AVIATION AND UNITED STATES FOREIGN POLICY

Philip Cockrell
University of South Carolina

The United States had a very clear view of the world it wished to attain following World War II. Its leaders wished to have a more stable world than had preceded the war and they believed that the key to stability would be an expanding world economy. United States leaders hoped to avoid international economic warfare by using wartime conferences to do away with protectionism and closed markets. Their battlecry was "free trade."[1] Most politicians believed that the adoption of their definition of "free trade" would necessarily lead to U.S. dominance of the post-war economy since its economy had suffered least during the war. However a number of American political leaders were frightened of the world of open cooperation as envisioned by Henry Wallace and others, so too, a number of business leaders were frightened of a world of open competition.

History clearly shows that commerce and technology are closely inter-related. Advances in transport technology have always led to commercial expansion, with its attendant advantages and disadvantages for the nation which was first to apply the new technologies. U.S. leaders were very aware of this fact. They were equally cognizant of advances in aviation technology which had resulted from World War II. They knew as well that no other nation had as vital an aviation industry or contained as many potential civilian transport aircraft as did the United States. Thus, it is no surprise that many from the lowliest spot welder in a Seattle aircraft factory to President Franklin D. Roosevelt were

[1]The concept that the United States constructed a foreign policy based on expansion of trade and commerce is the interpretation of the New Left or revisionist school of diplomatic historians. The first and best example of this interpretation is William A. Williams, *The Tragedy of American Diplomacy* (New York: Dell Publication Company, 1972, 2nd ed.). Other New Left works which are more closely concerned with World War II and the Cold War include Gabriel Kolko, *The Limits of Power* (New York: Harper & Row, Inc., 1972), *The Roots of American Foreign Policy* (Boston: Beacon Press, Inc., 1969), and Walter LaFeber, *America, Russia, and the Cold War* (New York: Alfred A. Knopf, 1985, 5th ed.). In order to comprehend the complexities of American foreign policy goals during World War II see Gabriel Kolko *The Politics of War* (New York: Random House, 1968), and Selig Adler, *The Isolationist Impulse: Its Twentieth Century Reaction* (New York: The Free Press, 1966).

The politics of Pan American Airways is best covered in Marylin Bender and Selig Altschul, *The Chosen Instrument, Juan Trippe and Pan American Airways, The Rise and Fall of an American Entrepreneur* (New York: Simon and Schuster, 1982) and Wesley Phillips Newton, *The Perilous Sky: US Aviation Diplomacy and Latin America, 1919-1931* (Coral Gables, Fla: University of Miami Press, Inc., 1978). For a general study of the politics of air lines in the World War II period, see Betsy Gidwitz, *The Politics of International Air Transport* (Lexington, Mass: D.C. Heath & Company, Inc., 1980), John Gunn, *Challenging Horizons: QANTAS 1939-1954* (St. Lucia, Qld: University of Queensland Press, 1987), Anthony Sampson *Empires of the Sky: The Politics, Contests and Cartels of World Airlines* (New York: Random House Publishing Company, Inc., 1984), and Henry Ladd Smith, *Airways Abroad: The Story of American World Air Routes* (Madison, Wis.: The University of Wisconsin Press, 1950).

extremely concerned that the United States retain its station as the leading nation in the aviation field and use that position to expand its economy.[2]

The application of the "free trade" doctrine to the air would lead to one of the great debates concerning the U.S. position in the post-war world. This debate attempted to delineate the means by which the United States could dominate the field of international aviation. The use of American economic muscle was not debated, but assumed. The real question was how best to apply American leadership in aviation, first, to benefit the domestic economy and, second, to help bring about political stability in the world by knocking down trade barriers.

During the course of the debate, the second objective was obscured by a great internal question raised by the first objective, namely, was the United States to enter the business of international civil aviation by means of a "chosen instrument," or was it to allow free competition among its commercial air carriers? On the central issue of the "chosen instrument" all other considerations hung, but it must be remembered that it was always a question of the means to an American-dominated world economy; the end was never in doubt.

Nations other than the U.S. looked to the post-war period as an opportunity to establish their own international route systems. Many Third World nations saw aviation as a quick way to expand their economies, but they also approached their international carriers, many of them government supported, as a symbol of national pride. The imperial powers such as Holland, France, and most particularly Great Britain had suffered the loss of most of their commercial links with their empires during the war. These powers saw civil aviation as a means of re-establishing those links and, just as importantly, as a means of re-asserting the presence of the Mother Country in the most remote parts of their empire.[3]

America's greatest rival in the field of international aviation was Great Britain. Air commerce was viewed by the British as an opportunity to regain their earlier status as a great commercial power. War-ravaged Britain was also in need of a morale boost and its leaders firmly believed that British civil aviation would soon give national pride the needed lift.[4]

While the Allied nations had presented a common front to the Axis powers during the war, they had been preparing to fight for control of post-war commercial airways, American leaders, believing that the closed market system that had existed before the war could be avoided in the future, thought a free market would bring prosperity at home and peace abroad. The possibility that the imperial powers would use their carriers to foster and operate government monopolies within their empires was a direct threat to American

[2]Adolph Berle's diary as quoted in Smith, *Airways Abroad*, pp. 150-52, indicates Roosevelt's position on the use of civil aviation to aid the expansion of the American post-war economy. The United States Department of Commerce publication, *Civil Aviation* and the National Economy (Washington, D.C.: Government Printing Office, 1945), pp. v, vii-xii, 1-11, Also emphasizes the important role government officials envisioned for civil aviation in warding off recession and providing for economic growth following the war.

[3]Charles J. Kelly, *The Sky's the Limit, The History of the Airlines* (New York: Coward-McCann, 1963), pp.105-109.

[4]Henry Ladd Smith, *Airways Abroad: The Story of American World Air Routes* (Madison, Wis.: The University of Wisconsin Press, 1950), p. 94. See also, *The Parliamentary Debates* 5th series, vol. 125., House of Lords (Hansard) 8th Session of the 37th Parliament of the United Kingdom of Great Britain and Northern Ireland 6 and 7 George VI., p. 1008 ff. (Hereafter referred to as: Lords, Hansard, pp. ##).

interests and U.S. policy makers set out to overcome the threat.

However, within the United States the means of overcoming this threat was not very clear. U.S. international civil aviation was being handled almost exclusively by one company, namely, Pan American Airways. The president of Pan American was the hard-nosed, intelligent, and determined Juan Terry Trippe. Trippe had built Pan American literally out of his own pocket, and with the help of his ample business acumen and some important friends he had made his company a very respected air line. Pan American's list of firsts was impressive, but to Trippe it was the "only" that mattered. Pan American had been the only U.S. company to offer dependable international service before the war. During the 1930's, Pan American had grown steadily and had served as an unofficial arm of the government. It linked the U.S. to its Pacific possessions, it was used as an instrument of the Good Neighbor policy, and made THE big step by introducing routine trans-Atlantic service. As the war drew to a close the question before the country was whether Pan American would continue as the only American international carrier or whether other U.S. carriers would be granted the right to operate overseas routes as well.

A business as successful as Pan American had been was bound to create adversaries and Trippe's determined business approach did not help the situation. Other companies also wished to engage in international commerce, but they were often deterred by the expense of the venture since it could not be carried out without an assured profit margin. Most air lines initiated their domestic service with a guaranteed profit gained by carrying the mail. Pan American's initial international runs would not have generated enough revenue for the air line to remain in business had not the government approved mail subsidies for it. Trippe was determined that his carefully built international route system not fall apart because of government sponsored competition and he vigorously undertook to stop competition.

While Trippe was more than happy to carry nearly all U.S. international traffic, others were disturbed that there was no competition. President Franklin Roosevelt was among those concerned. Therefore, when tiny American Export Airlines applied to the Civil Aeronautics Board (CAB) in April 1939 for a license to conduct commercial operations across the Atlantic, Roosevelt threw his support behind the application. Trippe mobilized his lobbyists and friends on Capitol Hill as well and the fight was on. The conflict that ensued was to be a microcosm of things to come.[5]

Both men were determined to win the contest and both sent in lobbyists to either gain support or engender opposition towards American Export Airlines. Roosevelt had in mind to test the need for competition on the North Atlantic route, Trippe was determined to stop any attempt at American competition. As Trippe saw it, Pan American was already in a very competitive business because it was competing with Lufthansa and KLM in South

[5]Bender *Chosen Instrument*, pp. 320-22.

America, and with Imperial Airways, QANTAS, KLM, and BOAC in the Pacific and Asia.[6] Everywhere Pan American flew, it was competing with foreign national carriers. Trippe saw no reason to have to compete with his own countrymen.[7]

In Senate hearings on American Export Airlines' service application, Trippe brushed aside questions about the waiting lists for seats on his Clipper flights and the great increase in the amount of mail to be carried in order to emphasize his point that a second carrier would be wasteful competition. According to Trippe, it would be better to increase Pan American's service, which had proved itself, than to license an untried company. The Post Office seemed to support Trippe's contention by conceding that it would have to pay $1,388,400.00 more in subsidies to assist a new carrier than it would to double Pan American's service.[8]

The Civil Aeronautics Board's ruling on American Export Airlines' application was a compromise. On 12 July 1940 the CAB disapproved American Export's application to serve Southampton, Marseilles, and Rome, but it did grant a temporary certification to open service to Lisbon via Bermuda and the Azores. This decision was quickly approved by the President despite the fact that it flew in the face of the Civil Aeronautics Act.[9]

American Export still had to obtain its mail subsidies. Again, Roosevelt and Trippe lined up their respective lobbyists and sent them to Capitol Hill. Adolph Berle, Assistant Secretary of State, was detailed by the President to see through Congress the appropriation that Roosevelt had put into the budget for American Export Airlines. Roosevelt was determined to have competition and Trippe was determined to continue Pan American's monopoly. Berle was directed to line up support for the subsidy from the War, Navy, and State departments in the form of favorable testimony during the hearings of the House Appropriations Committee. Trippe also testified during these hearings and argued that he was already engaged in serious competition. He then called for government sponsorship of his monopoly just as other governments sponsored their international carriers. Only in this way, Trippe maintained, would the United States be able to get its fair share of the international traffic. Competition between U.S. carriers on the same routes would simply bankrupt all of them and leave the national economy vulnerable to foreign carriers. Trippe's plan narrowly failed to convince the committee which approved the appropriation by one vote.[10]

[6]Each of these carriers were foreign national carriers. Lufthansa was the German airline, KLM the Dutch, QANTAS (Queensland and Northern Territories Aerial Service) was Australian, BOAC (British Overseas Airways Corporation) and Imperial Airways were British lines. In the British case, BOAC connected Great Britain to the dominions while Imperial Airways conducted service for Great Britain between the dominions.

[7]Bender, *Chosen Instrument*, p. 321.

[8]U.S. Congress, Senate, *Appropriations Bill for 1942*. Hearings before the subcommittee of the Committee on Appropriations on H. R. 3205, 77th Cong., 1st sess., pp. 335-337. Also, Bender, *Chosen Instrument*, p. 322.

[9]The Civil Aeronautics Act of 1938 Section 408 forbade any entity engaged in international commerce from operating an international air line for the purpose of commerce. American Export Airlines was owned and operated by American Export Lines, a shipping company, and thus the CAB's ruling was in direct violation of the Civil Aeronautics Act. The CAB got around this problem by stating that American Export was not yet an operating carrier when it applied for certification. The complete CAB ruling is published in *Civil Aeronautics Board Reports*, vol. 2, *Decisions of the Civil Aeronautics Board, July 1940-August 1941*, Docket #238, Decided 7/12/1940, pp. 16-19.

[10]Bender, *Chosen Instrument*, pp. 321-23.

The committee vote sent the budget to the Senate for final ratification and Trippe's last attempt to stop it. Roosevelt turned up the heat when he had Postmaster General Frank C. Walker call Trippe and inform him that any further "dirty business about American Export" in the Senate would be viewed seriously by the administration. The President went so far as to threaten to have all of Pan American's officers and directors indicted on anti-trust charges.[11] Trippe was undeterred and intensified his lobbying efforts. In the end, the Senate determined that both companies were attempting to milk the government. Therefore, the government should get the most for its money from Pan American because that air line had demonstrated it could give the best service for the least money. American Export Airlines' proposed mail subsidy was struck out of the budget and Pan American continued to be the only U.S. international carrier to have government money behind it.[12]

The intensity of this battle between Pan American and the administration has often been overlooked in the historiography of this period because it occurred in the shadow of larger world events. But it remains a significant event, for in addition to the obvious victory, Trippe won the support of several powerful anti-Roosevelt Democrats, among them Josiah Bailey of North Carolina, chairman of the Senate sub-committee on aviation and Pat McCarran of Nevada.[13] The support of these and other anti-administration notables (who were by conviction anti-internationalist and anti-collective security) would figure prominently in later events. Their support of Trippe in the American Export business aided him in his successful bid to maintain his monopoly of government support and near monopoly of international service. However, his success was short-lived. The coming of World War II would forever change the face of U.S. international civil aviation as it would change so much else.

The many far-flung theaters of the war necessitated long lines of supply. The most efficient way to service these theaters was by air and thus, as a result of war, long distance aerial hops became the standard, not the exception they were before the war. The pressing need for transport aircraft to support the armed forces caused the CAB to put the domestic lines under military contracts to carry out international service. The domestic carriers gained valuable experience in long-haul flying and were keenly aware of how quickly their military transports could be converted to civilian use. To the owners of these lines the combination of large numbers of long-range transports and experienced air crews meant one thing: post-war international service with its attendant profits.[14]

By 1944 the CAB had received over 100 applications for new overseas service, most of which came from domestic carriers wishing to extend their service. With technical

[11]Quoted in Bender, *Chosen Instrument*, p. 326.

[12]U.S. Congress, Senate, *Appropriations Bill for 1942*, pp. 335-337.

[13]Josiah Bailey drew up the minority report which was attached to the subcommittee report which had recommended the subsidy for a second trans-Atlantic carrier. The minority report roundly condemned the idea of a second carrier as injurious to American civil aviation as a whole, and illegal because of American Export Airlines' parent company. Bailey's report commended Pan American's service and recommended that any increase in trans-Atlantic service be given to Pan American rather than to a new company. Bailey's report was delivered by Senator Pat McCarran. U.S. Congress, Senate, *Treasury and Post Office Departments Appropriations Bill, Fiscal Year 1942*, Senate Report No. S.R. 142, part 2, 77th Cong., 1st sess., pp. 1-5.

[14]Smith, *Airways Abroad*, pp. 92, 93.

problems in long-range service solved, there remained only the tricky and delicate problems of international economics and politics.[15]

The expansion of the American aviation industry was seen by other nations as a threat to their post-war economic development in civil aviation. The British were perhaps the most concerned as they and their empire would be directly affected by American post-war economic expansion. All the talk of "freedom of the air" did nothing to calm British concerns. Adolph Berle considered conflict with Britain over the nature of post-war civil aviation to be one of America's greatest post-war diplomatic concerns.[16] One of the central difficulties to be overcome was the definition of the much-used phrase, "freedom of the air." The phrase was most often used by the proponents of collective security and internationalism. Its opponents were generally those who had been isolationists before the war and had become ultra-nationalists as a result of the war. The former wished to promote stability through international cooperation; the latter desired the same goal but believed it could only be achieved by giving the United States its proper place (first) in the post-war world.[17] These "America-firsters" were determined to pursue policies which served the self-interests of the country, and they did not hesitate to voice their opposition to the international-ist notion that cooperation served America best.

Both of these groups were greatly disturbed by Britain's apparent determination to develop its own brand of post-war international civil aviation. As early as 10 February 1943 speeches were heard in Parliament which called for a vigorous program of transport building and route expansion for British civil aviation. On that day, Viscount Richard Bedford Bennett stated in most emphatic terms that "if we [Great Britain] are not to sink to the level of a second-class power we have got to have an air transport service now."[18] Viscount Bennett's use of the phrase "second-class power" was sure to spark a strong reaction in Great Britain, but his speech went further and identified the United States as being Britain's chief rival. Another member of Parliament, Lord Brabazon of Tara, furthered this sentiment when he indirectly accused the United States of taking unfair advantage of Britain's war needs to build up the American aviation industry for post-war purposes. In all fairness to Lord Brabazon, he could not publicly say that British industry was unable to produce at U.S. rates. His discussion of the great gap between the two air industries was correct as was his call for action if Britain was to have any chance to compete with the U.S. after the war.[19]

As of 1943, twenty-five percent of all U.S. aircraft manufacturing was devoted to transport building. British industry was totally committed to building combat aircraft. The British received some of the American transports through Lend Lease, but the vast majority remained in U.S. hands. Great Britain recognized that at the end of the war most of their wartime aviation production would be instantly useless while the U.S. would already have

[15]Ibid.
[16]*Bender, Chosen Instrument*, p. 372.
[17]Adler, *The Isolationist Impulse*, p. 373.
[18]Lords, Hansard, p. 1008.
[19]Ibid.,p. 1025.

a considerable portion of its aviation industry committed to building aircraft which would be immensely useful after the war. The United States was also busy training transport pilots and forging routes, while every available British aircrew was needed for fighting the war. Britain feared that at the end of the war the U.S. would have in place the machinery to dominate international civil aviation.[20]

The great amount of talk about "freedom of the air" coming out of the United States indicated to Great Britain that following the war the American goal would be to "fly to everywhere. Period."[21] The American advantage in aircraft and aircrew experience coupled with the free trade talk appeared to the British to be a U.S. attempt to become the dominant trading partner with the dominions of the British Empire. To avert the disaster for the British economy that this would be, Great Britain began work on a plan for its own post-war international commercial aviation. British hopes were pinned to statements by Vice-President Henry Wallace that indicated his ideas that post-war air transport services could be operated as a peacetime function of an international air force regulated by an international authority. If this were not to be the case, the British hoped that the collaboration between the United States Army Air Forces and the Royal Air Force that had been forged during the war could be continued by civil air services.[22]

These hopes did not constitute a policy. However, a serious statement of British intentions was issued in 1944 in the form of an official White Paper. In this policy statement, the British outlined their reasons for the practice they intended to follow. The White Paper equated unlimited competition with large subsidies. These expensive subsidies, which would have to be borne by the taxpayer, would be necessary for British carriers to operate on unprofitable, but necessary routes. Therefore, Great Britain elected to use a form of the "chosen instrument" policy in order to avoid the risks to its economy that heavy subsidization would incur. The White Paper declared that operators which were allowed to run air services within the United Kingdom and between the United Kingdom and other nations would not have competition on their routes from other British carriers.[23]

Great Britain favored an agreement with other nations that would work out a

[20]Ibid., pp.1025-1027

[21]Freshman speech of Congresswoman Clare Booth Luce, *Congressional Record*, 78th Cong., 1st sess., 9 February 1943., p. 761. Mrs. Luce's speech was a searing indictment of the administration's policy on civil aviation. The congresswoman spoke out loudly against an international body that would arrange routes and schedules (she referred to the internationalism of Henry Wallace as "Globaloney"), but the primary emphasis of her speech was a condemnation of open competition between American carriers on international routes. Voicing the common opinion of those who supported one national line, she stated most emphatically that such competition would bankrupt all the American carriers, leaving foreign companies to carry all U.S. international traffic.

Interestingly, Mrs. Luce had a personal connection to Pan American, the carrier she advocated as the U.S. international carrier. Her husband was Henry Luce, publisher of *Time/Life* and business associate of Juan Trippe. Trippe had aided Henry Luce in streamlining his accounting procedures and had given Luce special treatment on Pan American's Clippers. Trippe had even played Cupid in helping arrange Henry Luce's marriage to the former Mrs. Clare Booth Brokaw. Clare Booth Luce's political career was due to the machinations of Wendell Willkie, leader of the Republican opposition to Roosevelt. See, Bender, *Chosen Instrument*, pp. 374-376.

[22]Lords, Hansard, p.1041.

[23]Development of British Civil Air Transport, General Policy for the Development of British Civil Air Transport and the Operation of Air Routes for the Carriage of Passengers, Freight, and Mails. Published as: U.S. Congress, Senate, *Development of British Civil Air Transport, General Policy for the Development of British Civil Air Transport and the Operation of Air Routes for the Carriage of Passengers, Freight, and Mails*, United States Senate Document No. S.D. #29, 79th Cong., 1st sess., 16 March 1945, p. 2. (Hereafter referred to as: British White Paper.

cooperative system of scheduling and routing so that wasteful competition could be reduced and subsidies be controlled and perhaps eliminated. The formula for the scheduling was to be based on "a broad equilibrium between transport capacity and traffic offering a fair division of services between the national air lines engaged on international routes and an agreement as to freight and passenger charges."[24] Thus, while the United States government called for "freedom of the air", believing this would be most beneficial to its own economic expansion, Great Britain called for careful regulation and service based on formulas in order to protect her economy and the vital links between the United Kingdom and the colonies and Commonwealth nations of the British Empire.

Officially, Great Britain opposed the idea of a chosen instrument since it believed that such an organization would be too large to effectively supervise all of the routes. Instead, it proposed a number of chosen instruments all operating in different trade zones--a common shipping policy. British carriers would be linked to the British maritime and land carriers already operating in those areas in order to give British economic presence stronger solidarity. British Overseas Airways Corporation (BOAC) would be the carrier on the primary route, which included all the Commonwealth nations, trans-Atlantic service to the United States and Canada, and routes to China and the Far East. The other areas of the world would be served by new carriers whose management, initial operating capital, and some aircrews would come from BOAC.[25] In effect, the new carriers would be BOAC under new names.

The United States viewed the British White Paper with suspicion and disappointment. It seemed obvious from the plan outlined in the Paper that Britain would be using a "chosen instrument" and would thereby force American carriers to compete with the British government instead of with British companies. This was exactly what the "freedom of the air" proponents had desired to avoid. The "chosen instrument" method seemed confirmed by the conclusion of the White Paper:

> The Government . . . are planning to bring into operation as rapidly as the exigencies of war permit a complete network of Commonwealth services in full cooperation with other Commonwealth governments. They are bringing into partnership on practical business lines these elements which, by rea-sons of their experience and organization, can contribute to the full and rapid development of Brit-ish air transport. In this way the Government believe that they can best meet the needs of the peoples of the world for safe, regular, efficient, and economical air transport, and enable British civil aviation, which has had to be subordinated to the supreme war effort, to take its rightful place on the airways of the world.[26]

[24]British White Paper, pp. 8, 9.
[25]Ibid., p. 10.
[26]Ibid.

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[24]British White Paper, pp. 8, 9.
[25]Ibid., p. 10.
[26]Ibid.

This seemed to many Americans to be a declaration of economic warfare. The White Paper policy fed fears that the expected growth in the number of foreign international carriers would result in a rate war that would be detrimental to U.S. carriers. The United States could fight in one of two ways: either the government could heavily subsidize American carriers so that they could drop their rates in order to compete without paralyzing losses[27]; or it could create an American "chosen instrument". The latter option was a very popular idea within the Republican Party as well as among those Democrats who opposed Roosevelt's collective security policies. Many in the American business community also supported the "chosen instrument" method for American international civil aviation. This latter group was a strange mix of labor and white collar executives which included the American Federation of Labor, the International Association of Machinists, the Brotherhood of Railroad Trainmen, the United States Maritime Commission, W.A. Patterson, president of United Air Lines, and, of course, Juan Trippe and Pan American.[28]

The prospect of economic warfare among former allies was not at all appealing to the President. Roosevelt and other adminis-tration officials had pledged their loyalty to the doctrines of internationalism and collective security. Roosevelt did not desire the "chosen instrument" method, and objected to those companies that wanted "all of the business." The President had faith in the American system and believed U.S. companies could successfully compete with each other and with foreign carriers with a minimum of government assistance.[29]

The idea that the major world powers should cooperate and divide the world into economic spheres of influence was not part of U.S. plans. Actually, it ran completely contrary to them. The United States recognized that following the war certain strong nations such as Great Britain would need economic security as much as they needed military security. The division of the world into commercial spheres of influence would not, according to American policy makers, aid that security; rather, it would tend to disrupt it. It was feared that if the division was allowed to occur, competition would exist between nations instead of companies. Furthermore, the smaller governments of the world would not be able to compete with chosen instruments backed by the economic might of the individual major powers. Thus they would be excluded, alienated, and disillusioned from the idea of internationalism.[30]

In the spirit of internationalism, a conference on the future of commercial air transport was held in Chicago from 1 November 1944 to 7 December 1944. The purpose

[27]U.S. Congress, Senate, *A Bill to Create the All-America Flag Line, Inc., and Assure the United States World Leadership in the Field of Air Transportation. Hearings before the Senate subcommittee on Aviation*, Bill No. S. 326, 79th Cong., 1st sess., 19 March 1945-4 May 1945, pp. 17, 18. (Hereafter referred to as: *All-America Flag Line.*)

[28]Ibid., pp. 76, 98, 99, 110-113. For a complete list of the organizations both in favor and opposed to the "chosen instrument" in American civil aviation see: U.S. Congress, Senate, *Report on Public Policy in Postwar Aviation*, Senate Document 56, 79th Cong., 1st sess., p. 1ff.

[29]Quoted from Adolph Berle's personal diary in: Smith, Airways Abroad, pp. 150-53.

[30]Adolph Berle, "Freedoms of the Air", *Blueprint for World Civil Aviation: The Chicago International Civil Aviation Conference of 1944 as Viewed by Four Members of the U.S. Delegation in Recent Magazine Articles* (Washington: Government Printing Office, 1945), pp. 4, 5. (The various articles from this publication will be identified by author, title of article, *Blueprint*, and page number.)

of the conference was to promote the internationalization of air commerce. It attempted to establish a group of international organizations and have those organizations set up a system of protocols for air commerce by peaceful arbitration much as those that had been established at sea through war. The American delegation was led by administration internationalists and at its head was Adolph Berle, one of the more visionary co-operationists.[31] He hoped that the conference would establish a system which could be activated as soon as the shooting stopped so that the carriers could re-start service almost immediately. Certain nations, most notably Great Britain and Canada, desired strict regulation which would assure that international service would not exceed actual traffic demands and thus give certain nations a higher presence in some areas than the demand warranted. The British and Canadians were fearful that without such controls the United States would use its advantage in the field to quickly dominate civil aviation to such an extent that no other nation's companies would be able to compete with it.[32]

The U.S., Great Britain, and Canada were the three major aviation powers at Chicago and each had its own agenda for the conference. However, the less developed aviation nations also had objectives they wished to achieve at Chicago. Their hopes for post-war civil aviation were represented in the plan put forth by Australia and New Zealand. The Soviet Union was invited to take part in the conference, but its delegation was re-called os-tensibly because Switzerland, Portugal, and Spain were in attendance. The Soviets refused to take part in a conference that also included what they called "pro-fascist states." Perhaps their stated reason for not attending was true, but it is more likely that their position on international aviation had more to do with their absence. The Soviet Union considered "freedom of the air" to be a threat to national sovereignty and had informed other nations that passengers wishing to cross the Soviet Union by air would have to land at a gateway airport, board Soviet aircraft, and then be transported to an exit gateway airport where they could continue their journey.[33]

The U.S. delegation approached the conference with an impressive list of objectives. It wished to establish a provisional program under which all delegates would request their respective governments to grant landing and transit rights to commercial aircraft of all friendly nations. It also wished to establish an Interim Council that would offer recommendations for ratification of plans and protocols. This Council would gather, classify, and correlate the mass of information and test ideas. It would then throw out ineffectual or impractical methods and recommend to a permanent authority the best way to establish rates, services, and the many other aspects of international operations. Berle also desired an agreement of principles regarding a permanent international agency that would be set up at the end of the Interim Council's tenure. Finally, the U.S. desired a "convention" or

[31]Berle, "Freedom of the Air", *Blueprint*, pp. 8, 9.
[32]Stokeley W. Morgan, "International Civil Aviation Conference at Chicago: What it Means to the Americas", *Blueprint*, pp. 10, 11.
[33]"Sellout of US Air Rights at Parley Feared", *Chicago Tribune*, 4 Nov 1944, p. 11, col. 5.

set of international regulations governing safety, navigation, and other technical matters.[34]

Great Britain's agenda was considerably different. It hoped to see an international authority with power to control rates, frequencies of service, and amounts of subsidies. This agency would establish an equilibrium among the leading aviation powers, but its real purpose was to restrict U.S. international service. American domestic air lines carried more than eight times the amount of traffic carried on U.S. international routes. The lifeblood of American civil aviation was domestic service and those routes were closed to foreign carriers. European carriers thrived on international routes which were open to competition from U.S. carriers. Thus, from a European perspective, the United States was being greedy in wanting equal access to those routes while closing its domestic routes to foreign carriers.[35]

The Australians and New Zealanders presented the most idealistic plan. They desired international control of world airways and operation of air lines and aviation factories as arms of the state. Their ideas were completely unacceptable to the major powers in attendance, but they did point out that other nations were vitally concerned with their own futures in the air.[36] It is also important to note that these nations were not impotent in the field of civil aviation. Australia, in particular, had a well-developed route system for its national carrier, QANTAS.

The various plans and objectives of the nations outlined their various strengths and weaknesses. Each sought to maximize its advantages while shielding its deficiencies. Great Britain used the ideas of collective security to cover its weaknesses while the United States used high-sounding phrases in an effort to exploit its strength. However, each of the major powers possessed an advantage not held by the other two. The United States was, at the time, making nearly all of the world's civilian and military transport aircraft. Great Britain had bases all around the world, giving it control of most of the potential refueling stops. The U.S. was unsure as to whether its wartime landing rights at these bases would be valid after the war. Great Britain was aware that it could easily use those landing rights as bargaining chips to safeguard its interests. Canada controlled Gander, the key landing point between the United States and Europe on the North Atlantic run until aircraft could cross the Atlantic non-stop.[37]

The basic difference between the American position and that of Britain was simple, namely, the U.S. wanted mutual or multi-lateral agreements binding all nations to the same terms and guaranteeing "freedom of the air."[38] The British stuck to their White Paper and called for less "freedom" in the form of traffic restrictions.[39] The U.S. strongly opposed any regulatory commission that might stifle traffic and limit expansion of commerce. Even in

[34]Smith, *Airways Abroad*, p. 168; see also: *Proceedings of the International Civil Aviation Conference: Chicago, Illinois November 1-December 7, 1944*, Department of State Publication 2820, International Organizations and Conferences Series IV, International Civil Aviation Organizations (Washington, D.C.: Government Printing Office, 1948.)

[35]Ibid., p. 169.

[36]Ibid., p. 170.

[37]Anthony Sampson, *Empires of the Sky: The Politics, Contests, and Cartels of World Airlines* (New York: Random House, 1984), p. 64.

[38]Berle, "Freedom of the Air", *Blueprint*, p. 1.

[39]Smith, *Airways Abroad*, p. 17.

technical matters such as standardized air traffic control procedures, aircraft airworthiness standards, and standardization of air navigation aids,[40] the Americans wished only for an advisory board and voluntary compliance.[41]

The conference finally addressed the problem that had brought them together, a definition of "freedom of the air." As one might expect, complications soon arose over a workable definition of the phrase. The Canadians proposed four "freedoms" and the American delegation added an additional one to these. The "Five Freedoms of the Air" were:

(1.) Freedom of peaceful transit
(2.) Freedom of non-traffic stops (to refuel, repair, or refuge)
(3.) Freedom to take traffic from the homeland to any nation.
(4.) Freedom to bring traffic from any country to the homeland.
(5.) Freedom to discharge traffic at intermediate points.[42]

Some of the nations at the conference would agree on only the first two points, and most would agree to the first four. But a small minority of nations, which included many of the Latin American states as well as the Netherlands and led by the United States, insisted that any convention to come out of the conference contain all five.

The basis of the "Fifth Freedom" was the fact that unless through flights were allowed to pick-up passengers as well as discharge them at any point along their route they would not be able to afford lengthy flights with numerous stops. For example, a flight originating in New York City with its terminus in Singapore would make stops in the Azores, Lisbon, Rome, Cairo, Baghdad, Teheran, Calcutta, and Bangkok before landing in Singapore. If the flight was allowed to unload passengers at each of the intermediate stops but not allowed to board new passengers the aircraft would be almost empty when it finally reached Singapore.

This insistence on the "Fifth Freedom" nearly broke up the conference. The British refused to sign any agreement which included it, simply because they feared acceptance would give the United States, with its plethora of aircraft, an advantage in carrying dominion traffic. This American invasion of traditional British markets would challenge Great Britain on the very routes upon which it was relying to rebuild its civil aviation industry. Generally, the colonial powers opposed the "Fifth Freedom" while the U.S. and smaller independent

[40] It should be emphasized at this point that the calls for "freedom" emanating from the American delegation confirmed the advantage the country held in civil aviation equipment and support facilities. Thus, when the technical matters were "resolved", they reflected U.S. standards. The radio navigation beacons signalled on frequencies used by American radios, the international language of the air was English, and airworthiness standards reflected the high quality of craftsmanship of the American aviation industry. See *Proceedings of the International Civil Aviation Conference*, pp. 3.

[41] Morgan, "International Civil Aviation Conference at Chicago" *Blueprint*, p. 11.

[42] *Proceedings of the International Civil Aviation Conference*, p. 3.

nations desired it.[43]

The conference ended without a general agreement. The United States and Great Britain tried to establish a workable formula for the assigning of new air routes, fares and fare rules, and scheduling frequencies, but were unable to derive a means both believed equitable. The breakdown of cooperation between Britain and the U.S. signalled the failure of the conference. Thus, despite all the talk of collective security and internationalism, none of the delegations wished to place the fate of its nation into the hands of a multi-national regulatory body empowered to govern the future of air commerce.[44]

However, the conference was not a total failure. Though it did not come up with a general agreement, it did provide several lesser agreements. This buffet arrangement of agreements gave each nation in attendance something with which it could agree. There was a permanent Convention on International Civil Aviation which contained all five freedoms, though the fifth one was optional for each individual signatory. Additionally, there was the so-called "Two Freedom Agreement" and the "Five Freedom Agreement", and an agreement on technical matters.[45]

The Chicago conference had seen grave differences arise among the Allies, but it also emphasized differences within the U.S. camp. Adolph Berle's aggressive leadership and his insistence on multi-lateral agreements which granted general privileges to all nations had alienated a number of the U.S. delegates. A front page story appeared in the *Chicago Tribune* only three days after the conference opened which accused Berle's "White House dictated position" of being a "complete sell-out of American overseas aviation." According to the article's "top government sources" Berle's scheme would "junk the advantageous American method" of trade based on pre-war commercial agreements which would allow the U.S. to dominate the post-war aviation field. Instead, Berle chose to "'give America's shirt away' in the spirit of international camaraderie".[46] The obvious division in the American camp weakened Berle's negotiating position, but the destruction of his plans for total internationalization of the air was assured by the resignation of Secretary of State Cordell Hull on 27 November 1944. Hull was a firm believer in international law and Berle had fitted well into Hull's State Department. Hull's replacement had quite a different set of values. Edward R. Stettinius, Jr., Hull's Undersecretary of State, was the brother-in-law of Juan Trippe, friend of big business, and advocate of post-war expansion of the United States' economy. He had close ties to those who had been isolationist, "America-firsters" before the war, and this political group saw its star rise with Stettinius' appointment.[47]

[43]Sixteen nations agreed to the "Fifth Freedom" initially. Twelve of these were Latin American nations which needed the right as much as US carriers did in order to survive on their long international routes. The attachment between Latin American governments and national airlines was a source of great national pride. Fear that the lines might fail, through competition or through loss of American traffic and landing rights if these nations were not supportive of the U.S. position assured their endorsement of the "Fifth Freedom" principle. The Netherlands also agreed to it because of the vast distance between the homeland and the Dutch colonies in the Pacific. See: *Proceedings of the International Civil Aviation Conference*, and Morgan, *Blueprint*, p. 13.

[44]Gidwitz, *The Politics of International Air Transport*, p. 50.

[45]*Proceedings of the Civil Aviation Conference*, pp. 3, 4.

[46]"Sellout of US Air Rights at Parley Feared", *Chicago Tribune*, 4 Nov 1944, p. 1, col. 1, and p. 11, cols. 3-8.

[47]Bender, *Chosen Instrument*, p. 393.

The unsatisfactory ending of the Chicago conference sent the delegates scrambling home to attempt to find a method that would guarantee the commercial success of their air lines. In the United States, the question of how best to enter the field of international aviation was a particularly sticky one. Congress faced the problem of whether it should condone monopoly in American-flagged international air commerce while condemning it for domestic enterprise. This problem arose as a result of Pan American's pre-war success when it had been the primary overseas carrier and its obvious desire to continue in that role.[48] The combination of Assistant Secretary Berle's departure (as a result of Stettinius' promotion), the break-up of the Chicago confer-ence, the British White paper, and Stettinius' link to Pan American encouraged several congressmen to challenge Roosevelt's policy on aviation.

This challenge came in the form of a bill introduced by Senator Pat McCarran (Democrat from Nevada) designed to strengthen and maintain the monopolistic nature of U.S. international air service. McCarran was one of the more powerful figures who did not believe that internationalism and collective security would guarantee stability and peace. Instead, these ultra-nationalists believed that the key to future national security was through an expanding economy.

Senate bill number 326 was introduced early in 1945 and bore the title "To Create the All-America Flag Line, Inc., and Assure the United States World Leadership in the field of Air Transportation." Hearings on the bill opened before the Senate sub-committee on aviation on 19 March and continued through the first week of May.[49] These hearings proposed to prepare legislation that would "assure the United States its destiny in global aviation." The sub-committee as a whole believed that the country must "exercise its superior position in aviation" if it was to act as a great nation and maintain its primacy in the family of nations. They also linked security and "America's avowed mission of peace, friendship, and commerce with all nations" to an expanding civil aviation system.[50]

The All-America Flag Line would be incorporated to serve as a carrier in foreign air transportation and to carry passengers, mail and property throughout the world under the U.S. flag. Its main office would be in the District of Columbia so that it could easily call upon any department or agency of the federal government for cooperation or assistance. The bill legalized any and all government assistance, short of direct financial aid, to the corporation, but there were exceptions to the proscription of monetary aid.[51]

The corporation's financial base rested on two types of stock, class A stock and class B stock. Class A stock was to have had a total value of $200 million and could be bought in increments of not less than $5 million and not more than $50 million by air carriers already holding carriage certificates from the CAB. This stock could not be traded or sold between the subscribers without the prior approval of the CAB and was not to be sold to the general public. Each carrier that bought into the corporation had to agree without

[48]U.S. Congress, Senate, *Report on Public Policy in Postwar Aviation*, Senate Document 56, 79th Cong., 1st sess., p. 1.
[49]*All-American Flag Line*, p. 1.
[50]Ibid., p. 2.
[51]Ibid.

reservation to sell, transfer, and assign to the corporation for fair market value any or all physical properties and equipment, operation facilities, licenses, franchises, leases, good will, or other valuable rights owned by the carrier and used in foreign air transportation, to the full extent that the corporation required. Payment for these would be in class B stock having a par value equivalent to the purchase price of said properties and/or rights.[52]

The linkage between the government and the corporation was clearly demonstrated in several features of the bill. First, the Board of Directors consisted of two members of the corporation, two from the carrier and one from the CAB. Secondly, the State Department was intimately connected to the corporation by statute. The Secretary of State would advise the corporation whenever any negotiations in which the United States was involved touched upon air navigation or air commerce. The Secretary of State was empowered to negotiate agreements with foreign governments in the name of the corporation, but was not allowed to act in this capacity for any other air line that might have an interest in opening new service. The State Department could also require the corporation to extend service to any destination at any time such service was deemed in the "public interest." The "public interest" was broadly defined by the bill to include air service for the maintenance of cooperative relationships between the U.S. and any foreign nation, or for the furtherance of national policy, or for the performance of any treaty obligation. The State Department had the right in these cases to compensate the corporation by means of direct payment.[53]

McCarran's presentation of the bill was based on the premise that air transportation would determine the trade routes of the future. Furthermore, he, and his fellows, believed that one nation or a combination of nations would eventually control the field and that the U.S. should be the dominant power. McCarran believed that America's position as a pre-eminent world power did not hinge upon its control of civil air transport power, but he did state that a strong position in the air was necessary for national security and for economic stability. The senator also believed that foreign competition would be real and dangerous and that competition among U.S. carriers would play into the hands of foreign carriers (i.e. governments) by weakening the U.S. companies. McCarran further argued that all the air lines that subscribed to the All-America Flag Line Incorporated would benefit by the corporation's profit-sharing nature and that the stock limit would keep any one company from dominating it.[54]

The dream that lay behind all of this legal jargon and Senate testimony was that of having a carrier backed by the government. A national line would demonstrate to the world that the stability of the carrier was linked to the stability of the government and would thereby entice world commerce to the line. "In other words, [McCarran wanted] this to be the most powerful, the strongest agency that the United States of America can set up to carry the commerce by air."[55]

[52]Ibid., p. 3, 4.
[53]Ibid., pp. 4, 5.
[54]Ibid., pp. 26-40.
[55]Ibid., p. 45.

Of the nineteen air lines certified by the CAB in 1945 only two, Pan American and United Air Lines,[56] supported the proposed government-sponsored carrier. The other seventeen discouraged the idea. These lines all hoped to enter the international field and begin making profits which they had no desire to share. American Airlines had a specific interest in the proposal. Its application for international service had been approved pending American's acquisition of American Export Airlines.[57] Pan American was outraged at this because it would allow American Airlines to have domestic and international routes, while Pan American was certified for international service only. Pan American's business required that it pick up passengers from the domestic carriers at gateway airports. If American was allowed to operate both domestic and international routes, Pan American would lose the passenger loads of the largest domestic carrier. Trippe presented statistics which indicated that if the merger were approved, American would have 23½ percent of all U.S. air line business while Pan American would have only 13½ percent of the international business if it was allowed exclusive control on all routes except the North Atlantic run (which it would have to share with the American Airlines/American Export Airlines combination).[58]

The debate over the All-America Flag Line caused an interesting division within the country. Government departments were unanimous in their disapproval while most labor groups strongly supported the idea. State Department testimony at the All-America Flag Line hearings was typical of the official administration position. The State Department claimed that U.S. trade and commerce would benefit more by using several air carriers than by limiting it to one. State also indicated its misgivings concerning close links between the government and a company stating that the best interests of a company were not always the same as the best interests of the nation. The State Department report concluded by noting that the creation of a single company was an unnecessary step given the strong performance of the individual U.S. air carriers.[59]

The War Department began its opposition where the State Department had ended. It emphasized that a strong competitive aircraft industry was necessary for a strong air force

[56]United supported the All-America Flag line for purely financial reasons, as did Pan American. Pan American had enjoyed a monopoly of all U.S. overseas aviation before World War II and Juan Tripp intended for this to continue after the war. The All-America Flag Line offered government support of his company.

United had grown into the largest domestic carrier during the war (its profits had grown by more than 300% since 1942) and hoped to build on its internal markets by feeder routes into the gateway airports. United also had bids before the Federal Aviation Administration for service to Hawaii and Alaska, which were considered domestic routes, as well as for expanded internal service. United's board feared that open competition would force all the airlines to offer unprofitable international services that would drain resources from their profitable domestic routes.

[57]The earlier application by this carrier for trans-Atlantic service was modified by war requirements. From 1942 onwards American Export Airlines had operated over the North Atlantic route as a contract carrier for the United States Army. It hoped to continue service on this route following the war since it had proved it could operate at a profit as a consequence of its war service. The CAB, following the requirements of the Civil Aeronautics Act of 1938, ruled that for American Export Airlines to continue such service after the war it would have to be separated from its parent company, American Export Lines. Such a situation would bankrupt the little carrier, and at this point American Airlines offered to enter into a merger with American Export Airlines.

[58]Ibid., p. 130.

[59]Ibid., pp. 6-8.

and that in peacetime this could only be obtained by having strong competitive air lines.[60] The linkage between civil aviation and military aviation was made very clear. The War Department's most persuasive statement was that multiple ownership would create maximum expansion of U.S. international air transport and would also produce larger, "more efficient and aggressive operations generally and thus better equip air carriers to maintain the over-all competitive position of the country."[61]

The other government departments echoed these sentiments. The Department of Commerce put it most succinctly in its statement that a stifling of competition means a stifling of business expansion.[62] The CAB's discouragement was more technical in its nature, but it repeated its parent department's misgivings in the statement that by allowing competition to exist, a broader and more intensive development of equipment, facilities, and services would result.[63]

American labor groups supported the single instrument idea because they believed it was the only way to protect U.S. wage and labor standards in the domestic economy. The Maritime Commission strongly urged the adoption of a chosen instrument and used as an example the fate of American shipping companies engaged in competition with each other and foreign "chosen instruments". The American Federation of Labor stood four-square behind the All-America Flag Line idea. AFL president George Meany spoke for labor in his article "Freedom of the Air: What it May Mean to American Wage-Earners and Labor Standards":

> Who flies airplanes over our country is *our* business.
> Who makes the airplanes that fly over our country and
> at what wages these planes are made is also *our* business.
> Let us in this case decide coolly and calmly for *ourselves*
> what we should do in the air transport field of the future
> to protect *ourselves*.[64]

The final result of the sub-committee hearings was to vote down the proposition in favor of multiple U.S. carriers, heavily subsidized by the government when necessary. Pan American was promised domestic routes for the loss of its international service monopoly. Juan Trippe was not satisfied with this arrangement and set about on a three year crusade to ruin the international aspirations of American Air Lines. On one occasion he attempted to buy American's subsidiary, American Export Lines. Trippe tried several other schemes to protect Pan American's primacy in the role of national overseas carrier, but gradually the other airlines made their way into the field.

[60]Ibid., pp. 7-10.
[61]Ibid.
[62]Ibid., p. 13.
[63]Ibid., pp. 18, 19.
[64]George Meany, "Freedom of the Air: What it May Mean to American Wage-Earners and Labor Standards" *American Federationist* 51 (April 1944):10-13.

The assumption that the security of the world rested on its economic health was wide-spread, and American leaders were certain that the U.S. economy was central to the world economy. To them, the expansion of American commerce would naturally result in the growth of the international economy. No one in the United States ever questioned the right of economic expansion; indeed, it was heartily desired. On one level, these assumptions and desires led to a large degree to the Bretton Woods Conference that resulted in the World Bank and the International Monetary Fund. Some historians have claimed that the later use of American economic muscle in the Marshall Plan is another example of the United States' constant attempt to gain its political initiatives through economic leverage. The air line business was simply another instance in which this predisposition to use American financial power for political purposes can be seen. But on a more realistic level, most of those who sought economic expansion were not seeking world stability for any reason greater than the fact that stability is good for business.

Americans never doubted the right of their civil air carriers to dominate international routes; indeed, they aspired to it as a means to expand the national economy. Within the nation, the point of variance was always how best to cultivate growth in the air line business and best apply the American advantage in aviation technology and equipment. This perspective of economic growth would lead eventually to a re-birth of more aggressive dollar diplomacy, this time carried on peaceful silver wings rather than with gunboats.

Columbia in the 1880s

John Hammond Moore
Institute for Southern Studies

Until the 1880s country life was as appealing as that in town, perhaps more so. But the telephone, home mail delivery, electricity, street cars, and graded public schools--all of which appeared in Columbia in that decade--made an urban address infinitely more desirable. This contrast was further heightened by a troubled farm economy that would propel Edgefield's Ben Tillman into the governor's mansion. Amid trying times, state population increased 15% and both Columbia and Richland County kept pace, the city registering a 50% gain (10,036 to 15,353), while county population overall rose from 28,573 to 36,821.

Some changes of those years that tended to standardize American life were gradual and undramatic and went virtually unnoticed . . . for example, street signs and house numbers that appeared in the summer of 1887 in preparation for home mail delivery. In addition, for over two decades (1870-1890) the eyes of the Midlands were riveted upon the waters of the Congaree, not on everyday affairs. Once the canal was completed, it was said, factories would rise majestically on its banks and provide jobs for hundreds, even thousands.

On 18 March 1881 Mrs. Fitz William McMaster, wife of a prominent lawyer, wrote to a son in Colorado: "Do you know the Canal is booming! over $60,000 has been subscribed in the city in the last two days." As soon as $1 million was pledged, work would begin, and, in time, he would be able to find "a place as a factory boy" instead of roaming about the Rockies among people he didn't know who didn't care "one cent" for him. Perhaps he could become a spinner or a ward keeper. In any case, this mother, who obviously knew little about factory life, expressed the hope that something would turn up for Columbia so "all of her home-grown young men may find employment within her borders."[1]

Lost in a dream world, citizens from all walks of life, much like mother McMaster, largely ignored the growth of a dozen or so small industries. Even businessmen succumbed to these attitudes, although, conscious of a vigorous economy in the Piedmont and stag-nation in Charleston, in 1880 they revived their Board of Trade[2] In September of 1881 this group lashed out at deplorable highways and failure to make the Congaree navigable, which could be done, members emphasized, with the aid of federal funds.

Throughout the 1880s, well into the 20th century for that matter, cheap water

[1]McMaster Family Papers, South Caroliniana Library.

[2]On 7 January 1883, in a rare outburst, the *Daily Register* called Charleston "the stumbling block of the State." Ever since the projected rail line to Cincinnati had foundered, the *Register* said, that city's businessmen had done nothing to promote their community, waiting instead for commerce "to come to them."

transportation was a popular topic. But, as usual, the seasonal nature of the Congaree--waters too high and dangerous or too low and rock-strewn--thwarted schemes to make Columbia an inland seaport, and in an age dominated by rail travel, neither canals nor roads fared well. The basic reason was an inability to sustain projects which, if properly carried out, cost a lot of money. One by-product was mud, perhaps that era's most irritating problem. In summer, when reservoirs were low, Columbians complained of muddy water; in winter, of muddy streets. Crack trains could whisk one from Charleston to Columbia in three hours and forty minutes, and an individual could travel about the capital city in relative ease by buggy and street car, but it often was well-nigh impossible to cross Main Street on foot![3] On 15 February 1876 the *Daily Register* pleaded for a decent crossing . . ." anywhere in the business district of the city, so that citizens may not have to swim in the mud." Ten years later, in December 1886, the *News and Courier* vowed Main Street still was "a disgrace . . . a miry bog!"

The street car, first proposed during Reconstruction, did not actually appear for another ten years. In February 1876 twenty-four citizens--merchants, bankers, and two well-known blacks (state senator William B. Nash and county school commissioner C. J. Carroll)--formed a company capitalized at $100,000. But the turmoil of 1876-1877 dashed their hopes. In January 1879 the *Daily Register* noted that Columbia had two one-horse omnibuses and about eighty hacks, but *NO* street railway such as just had begun operating in Greenville! Early in 1882 another company appeared and developed a system that began service in 1886. During the first three days, 4,000 passengers paid 5¢ to experience the thrill of being hauled along iron rails. In March 1887 mules gave way to horses that could pull cars at a top speed of six miles per hour. Although electric cars did not appear until May 1893, there is no question that the "trolley" played a major role in development of suburban Columbia during the next two or three decades.[4]

Other forms of travel, notably train and bicycle, also experienced change. On 1 February 1883 a new Union Depot opened on Gervais Street with spacious waiting rooms, telephone and telegraph connections, sparkling chandeliers, large washrooms, and a refreshment stand--everything any weary traveler could wish for. Ten months later Columbia and the rest of the nation adjusted clocks and watches to "standard" time. Until then, Columbia had *three* times--its own, Charleston time (four minutes faster), used by the South Carolina Railroad, and Washington time (sixteen minutes faster), used by all other railroads. At noon on November 19th, the hands of local clocks were advanced twenty-four minutes to conform to the system adopted nation-wide. Three years after that, in June 1886, major railroads moved their rails to "standard" gauge (four feet, nine inches), that used by the Pennsylvania Railroad. In most cases, this meant an adjustment of only a few inches, perhaps three; nevertheless, this was an awesome undertaking.

The real importance of the bicycle, like that of the street car, lies in the 1890s, but its roots go back to 1869 when the first velocipede arrived. Soon there was a velocipede "rink" offering free instruction, but these "bone-shakers" could not achieve

[3]In much the same manner, in 1890 an Irmo resident could get to Columbia in seventeen minutes on the Columbia, Newberry, and Laurens line *provided* that individual could get to the station. Thus, in essence, the railroad solved the problem of long-distance travel, but short-distance travel (getting about a city such as Columbia or to a rural depot) often was impossible in inclement weather.

[4]For an in-depth study of this subject, see David Charles Mcquillan, "The Street Railway and the Growth of Columbia, South Carolina, 1882-1936," MA Thesis, USC, 1975.

much of a following until transformed into the big wheel-small wheel "penny farthing." By the early 1880s bicycle clubs were appearing throughout South Carolina, and in 1883 thirty daredevils from Charleston, Newberry, Greenville, and Columbia raced around a special track at the state fair. But these pioneer machines still were too expensive, too dangerous; and, as local cyclists discovered when they tried to ride to Winnsboro, country roads were not ready for this mode of travel. Within a few years, however, English inventors produced a chain-driven model with equal-sized wheels much like the "bike" of today, as well as rubber tires, and the great craze of the 1890s was born. By the turn of the century, at least 3,000 area residents were commuting to work on bicycles.

Roller skates, a less spectacular form of transport, enjoyed greater popularity in the 1880s than the bicycle; in fact, local young people had been skating in public halls since the 1860s. This was, in effect, a winter sport provided by enterprising northerners who appeared each fall with skates, set up shop, and in the spring returned to whence they came, presumably to open summer rinks there. Other recreational pursuits of the decade included: tournaments, barbecues, cockfights, minstrel shows, shooting meets, dances and balls, church fairs and picnics, and, of course, traveling shows at the Opera House. Buffalo Bill and his troupe were there in 1881, and three years later--precursor of an attraction that still packs a wallop--Columbians enjoyed a full evening of Graeco-Roman wrestling, also at the Opera House.

Yet change was in the air. On two evenings in 1881, for a quarter (children 10¢) one could enter an armory and listen to a wonderful machine developed by a Mr. Edison. According to the *Daily Register*, "It Talks, Laughs, Sings, Cries, Whistles, Plays Coronet, &c." By 1890 local residents were bragging that their city had more nickel phonographs in its stores than could be found in all of Charleston! However, if phonographs increased, cockfights did not. In 1887, the legislature banned cockfights within three miles of any chartered institution, and Columbia's lone legal cockpit became history amid a flurry of blood, feathres, and dollars--a three-day blow-out pitting South Carolina birds against those from the Tarheel State.

If there was a common thread in recreation of the 1880s, it was *organization.*[5] Thanks largely to improved rail service, leisure activity often was provided by semi-professional groups such as baseball teams and firemen or centered upon school commencements in May and the state fair in November. Baseball, made popular by the U.S. Army during Reconstruction, gave birth to town teams, factory teams, college teams, midget teams, black teams, lean teams, fat teams, even teams representing various boarding houses. In November 1884 a group of Yankee lovelies--the Blondes and Brunettes--swept into town and challenged a local nine, the Mechanics. They wore, in the words of the Daily Register (13 November), "fancy costumes after the pattern of suits, which gave free play to their limbs." Southern chivalry notwithstanding, the Mechanics won, 12-10, but that evening the victors graciously "devoted themselves to their visitors,

[5]Less organized recreational pursuits included nude bathing at the end of Gervais Street and sandlot baseball, both of which raised the ire of some citizens. Out in the northeastern part of the county, the Medlins and Jacobs carried on a lively feud, shooting at each other from time to time because of disagreements over road rights and other presumed impositions. In February of 1882, four Medlins and several other Sand Hills residents were involved in a "sensational" free-for-all at McCreery's wagon yard. These country folk, camped for the night, got into a row that involved cards, liquor, clubs, knives, and guns. Several people (including onlookers) were injured before ten policement finally subdued the participants and put them behind bars.

who lodged at the Hendrix House."[6]

Yet for every individual who crowded around a baseball diamond, ten applauded firemen, whether battling flames or going through competitive drills. At the outset of the decade, the city had two black engine companies, two white engine companies, and a white hook and ladder unit. These men, not baseball players, were the true athletes of the era, idolized by youngsters and their older sisters, and any inter-city tournament was an excuse for parades, banquets, and balls. Of course, each race organized its own outings, but this was one realm where the color line often was blurred. This is quite understandable since, if disaster struck, *all* firemen rushed to the scene. When blacks from Winnsboro and Greenville came to town for a tournament in June 1881, for example, the mayor was on hand to greet them, and so many whites attended a benefit fair for a black fire company in October 1882 that blacks thanked them publicly for their support.

Nevertheless, racial cooperation was a fragile flower. In the fall of 1880 few black firemen participated in a parade marking the opening of the state fair. Why? According to the editor of the *Daily Register*, because of rumors that this this was a "political dodge" to massacre blacks. Although this gentleman railed against such "a mean and contemptible method" of exciting distrust, it is obvious that the heat of a national election had to cool before daily life would be normal once more.[7] Then, in June 1884, Mark Reynolds told his Stateburg sweetheart of a bizarre incident during a three-day meet sponsored by white firemen. When hundreds filled bleachers erected in the business district, a haberdasher decided to garner good will by tossing bits of clothing from the roof of his store. Reynolds, a young lawyer, watched as blacks scrambled for shirts, socks, and underwear. "Occasionally [roofing] slates would be thrown down--and several Negroes were cracked on the head. I was in hopes that I might get a case from some innocent bystander for damages caused by injuries sustained on this interesting occasion but was disappointed".[8]

In May 1885 a conclave at Columbia's Trinity Church was split asunder when two black clerics took communion. Episcopal leaders approved; laymen didn't. A short time later, Alderman Tilman Watson scandalized the community when he horsewhipped a black man because of attentions to a mulatto girl. The mayor said the matter was "too disgusting" to talk about, although most of the town did. Within a week, Watson withdrew from politics. Two years earlier, another incident sent tongues wagging when Louisiana-born Ellen Vogel, described as "a colored courtesan," died and left most of her $10,000 estate to "a prominent aged businessman." Records at state archives reveal that he was a former mayor.

But to return to Reynolds, who earned a special niche in local annals when he became the first person in Columbia to master a typewriter. In February 1885, his boss, John C. Haskell (Wade Hampton's son-in-law) returned from the North with one of these machines, and Reynolds taught himself the requisite skills. His first letter to "Lizzie"

[6]Football was virtually unknown in this decade. According to the *News and Courier* (2 February 1884), USC students wanted to arrange a "match" but could find no other "experts" in the state. Trinity (Duke) beat Furman 96-0 at the state fair in 1891. On Christmas Eve 1892, Furman rolled over USC 44-0 in a game played in Charleston's baseball park.

[7]The following year, it might be noted, scores of black firemen marched in a similar parade.

[8]Reynolds Family Papers, South Caroliniana Library.

opened with these words: "Are you pleased to see your name in print?" Two years later Haskell raised Mark's salary to $50 a month, a princely sum that permitted him to ask "Lizzie" to become his bride.

Another wonder of the age, the telephone, arrived in January 1880 when a representative of the National Bell Company began installations--largely in stores, business offices, and public institutions--at a cost of $45 a year. By February 1883 the number of subscribers had grown to ninety-one, enabling the company to initiate night service. Electricity, perhaps because proponents still were debating the merits of direct and indirect current, did not exert much influence. No commercial company appeared until December 1887, although the following fall, just in time for the state fair, arc lights were erected in the business district. Two small generating plants were built in the early 1890s, but electricity for residential use was severely limited until after 1900.

The education story, like electricity, is something of a mixed bag. The greatest improvement was a graded school system and teacher training institutes. Once the city became free of county control in 1880, city fathers launched a drive for a special tax to lengthen the ninety-day term. Largely because of reluctance to fund black classes, these efforts were thwarted until 1883. Meanwhile, the state inaugurated summer teacher courses, with whites meeting in Greenville and blacks in Columbia. With the aid of Tennessee-born David B. Johnson, appointed city superintendent in June 1883, classes for older white boys began three months later in the former Male Academy, with younger white boys and white girls attending the old Female Academy and all black children, as before, housed in Howard School.[9] The first eight grades of this ten-year program were free to city residents. Those living outside of the corporate limits paid one to three dollars a month, depending upon courses taken, those enrolled in high school classes a monthly tuition fee of $2.50.

Another encouraging development was Winthrop Training School, an outgrowth of Greenville's seminars for white teachers. This institution, the personal creation of Superintendent Johnson (with the assistance of the president of the Peabody Fund, Robert C. Winthrop, hence the name), was launched in the chapel of the Columbia Theological Seminary in November 1886. Eventually it achieved collegiate status and in the mid-90s moved to Rock Hill.

Two black schools--Benedict and Allen--were another bright spot. From the outset, they inaugurated some of the truly innovative work being done in this state. Benedict, founded by the American Baptist Home Missionary Society in 1870 and named for its major benefactor, Mrs. B. A. Benedict of Pawtucket, Rhode Island, was a private operation that trained teachers, taught industrial trades such as shoe-making, painting, carpentry, printing, and dress-making, and provided classes at every level, grade one through college, all heavily imbued with theology. Allen, a Methodist institution located near Benedict on the eastern edge of the city, carried on a similar program, plus an unusual law school that graudated its first class in 1884.

By contrast, old South Carolina College, Columbia Female College, the theological seminary, and various private academies were experiencing lean years. To some degree,

[9]As a result of this arrangement, Columbia Academy trustees were able to name some members of the city school board until state law ended that practice in 1972.

this was a reflection of political ferment and hard times, as well as an enhanced public school system and interest in practical studies that soon would be available at Winthrop and Clemson. In October 1880 the oldest of these institutions opened its doors as the South Carolina College of Agriculture and Mechanics, a move that followed tacit agreement to share federal land-grant funds with Orangeburg's Claflin College. Although some departments of South Carolina College may have been doing good work, failure to develop a true agricultural curriculum, especially in view of rural demands and the bequest of Thomas Green Clemson, was a fatal error.

Some years earlier, in 1878--when the college was shut tight--Thomas Clemson suggested using convict labor to create "a charitable institution" near Columbia to encourage agricultural pursuits.[10] What he envisioned was an establishment of "practical benefit" filled with trees, plants, animals, birds, etc. for sale or exchange. However, few were listening, and even an honorary degree awarded to Clemson by the college in 1886 failed to deter him from his goal.

The one event that each November melded together many diverse strands of everyday life--education, innovation, sports, agriculture, even politics--and encompassed *all* levels of society was the state fair. In 1886 the eighteenth such gathering featured a panorama of the Gettysburg battlefield (also shown successfully in 1885) and views of the earthquake that recently had devastated Charleston. There was a special WCTU booth and, as usual, restaurants and bazaars staffed by church women. There was, however, not much of a midway, most games of chance having been banned because of unpleasant incidents in 1885.

This five-day extravaganza concluded with a lavish Saturday night ball given by the prestigious South Carolina Club and presided over by the governor and his wife. On the following Monday, the *News and Courier* regaled readers with minute details concerning "the magnificent toilet of the ladies." Their escorts were listed by name under a simple heading: "The Chivalry." But while diamonds sparkled and elegant young couples danced, Ben Tillman planned; for he and his farmer friends, over three hundred of them, also gathered in Columbia that week to map strategy for the upcoming meeting of the General Assembly. The truth is, the specter of a troubled rural scene hung heavy over these festivities, and the *News and Courier* conceded that crowds at the fair were smaller than in 1885.

This picture of affluence amid hard times is a hallmark of the 1880s, as is Columbia's rather confused portrait of itself. As Narcisco Gonzales of the *News and Courier* observed in January 1883, the city was experiencing "steady, comfortable progress." At that time, a hosiery mill and shoe factory were operating at the penitentiary, and by the close of the decade a small cotton factory had appeared, as well as a large compress and two cotton seed oil mills. Trade in cotton more than doubled, up from 24,000 bales in 1882 to over 60,000 in 1888, and spending at various state facilities increased somewhat. Firemen's tournaments, conventions, excursions, and, of course, the fair also aided the economy.

But, caught up in "New South" rhetoric, "steady, comfortable progress" was not

[10]Columbia *Daily Register*, 1 February 1878.

what Columbia wanted. It was searching for something smashing, a real show-stopper that would wake up Charleston and make the Piedmont green with envy--a huge mill, a big canal, steamers that would provide direct access to world markets. Somewhat paradoxically, while dreaming industrial dreams, Columbia also yearned to become a quiet winter resort like Camden or Aiken. Yet, as this decade closed, it had no public library, no hospital worthy of the name, and no first-class hotel.

If Columbia was confused about the future, the same cannot be said of the immediate past, for recent history was being rewritten with deliberate speed. Two examples. In 1880, ex-Governor Scott, then living in Ohio, got into trouble when he shot and killed a youth who, he claimed, was corrupting his son. Several Columbia citizens, including F. W. McMaster, who once had Scott as a client, wrote expressing sympathy and concern. Four years later, when McMaster launched a bid for a seat in Congress, A. B. Williams of the *Greenville News* unearthed his letter, updated it to 1884, and accused Democrat McMaster of consorting with Reconstruction Radicals. In reply, McMaster stated with much vehemence that, to the best of his knowledge, save for perhaps a servant, *no Republican ever had entered his house!*[11] However, as the *News* had hoped, the nomination went to a Greenville man, not McMaster.

Three decades later, W. W. Ball, then editor of the *State*, dashed off a sketch of Columbia for a Chamber of Commerce booklet in which he related how, "after the war," the area of the city was diminished "in order that the danger of negro control in municipal affairs might be lessened."[12] Ball's account is, like much of Reconstruction lore, only partly true. Boundaries were changed somewhat, but blacks never tried to control municipal life. Both McMaster and Ball should have known better than to speak and write as they did, but their words reflect what may have been the most important trend of the 1880s: the increasing rift between the races. In its wake, blacks and anything or anyone associated with the Republican party had to be portrayed in the worst possible light.

Columbia soon got its big mill, even though river traffic and winter tourism never amounted to much. In time, some wonders of city living would spread to the countryside. But the racial split that began in this decade and was codified into statute in the 1890s cast a long shadow. Of course, this division of daily life was not initiated by Columbia, nor by the state of South Carolina, for that matter. The Jim Crow laws that evolved even can be viewed as part of an overall "standardization" process, an effort to create uniform conditions throughout a state, region, and perhaps a nation. Whatever the motivating force, their origin marks a dividing line in local life almost as potent as Fort Sumter and Appomattox.

[11] Ironically, family papers at the South Caroliniana Library reveal that in 1879 another Republican from Reconstruction days (R. B. Carpenter) wrote to McMaster from Leadville, Colorado, recalling "the many instructive and charming hours I have passed under your most hospitable roof in the society of your accomplished wife and daughter and yourself."

[12] See Columbia, *South Carolina: Chronicles and Comments, 1786-1913* (Columbia, 1913).

On The Stump: The Congressional Campaigns of James P. Richards, 1932-1954

Joseph Edward Lee
University of North Carolina-Charlotte

Today sophisticated media wizards who surgically splice thirty second sound bites destined for the evening news dominate America's congressional campaigns. Cadres of word processor-equipped speechwriters methodically spit out stacks of position papers for use by image-conscious candidates. Political Action Committees vigorously advocate their agendas and, two years ago, spent $458,000,000 on favored congressional candidates. The quest for image, television access, and cash has transformed the nature of political combat. The average cost for a successful U.S. House of Representatives candidate soared from $87,200 in 1976 to $388,000 in 1988. A half century ago, however, congressional aspirants waged a far more personal and a far less expensive form of warfare. The stump meeting or, as it was called in the seven countries of South Carolina's Fifth Congressional District, "the Speaking," gave office seekers an opportunity to tour their district and plead their cases in face-to-face confrontations with their opponents.[1]

Usually, food preceded the politicking. After dining, women cleared away the remains of fried chicken, catfish stew, barbecue, potato salad, cole slaw, biscuits, and chocolate cake. Men sipped lemonade or iced tea, sometimes laced with whiskey. Candidates shook hands, slapped backs, kissed children, hugged women, and passed out small cards which proclaimed in bold type "dependable," "capable," "experienced," and "sober." In 1932, the food was less plentiful, but the candidates were as omnipresent as ever. The Great Depression had ravaged the farms, eroded the cotton fields, shut the textile mills, scorched the corn, emptied the bank vaults, and ruined the businesses of the Fifth Congressional District. Amid this chaos, incumbent U.S. Representative William Francis "Seaboard Bill" Stevenson headed home to defend his record "on the stump."[2]

Born in North Carolina during the first year of the Civil War, Stevenson had been too young for military service in that conflict and too old for combat in the Spanish-

[1]The best recent study of the spiraling cost of campaigns is Joseph E. Cantor's Congressional Research Service issue brief "Campaign Financing," published in 1989 by the Library of Congress; throughout Representative Richards' tenure, the Fifth District was comprised of Cherokee, Chester, Chesterfield, Fairfield, Kershaw, Lancaster, and York Counties, an area of North Central South Carolina.

[2]Interview with Tyre D. Lee, Sr., January 5, 1987, Chester, S.C., "stump meetings" and their picnic atmosphere were not restricted to just the Fifth District. In the Pee Dee area of the state they were much the same, interview with Benjamin F. Hardy, Jr., August 15, 1989, Dillion, S.C.

American and First World Wars. Stevenson's battles were waged in the political arena, and his victories were numerous. He had been mayor of two South Carolina towns and had represented Chesterfield County in the state legislature. His colleagues selected him speaker of the house in 1900. Additionally he advised the influential Seaboard Railroad Company on legal matters and represented Chesterfield County on the executive committee of the S. C. Democratic Party. After two narrow defeats at the hands of Congressman David E. Finley, Stevenson's perseverance bore fruit in 1917 when he succeeded Finley upon the latter politician's sudden death.[3]

One month after Stevenson trounced four opponents in a special March 1917 election to fill Finley's seat in Washington, twenty-three year old James Prioleau "Dick" Richards, nephew of Governor John G. Richards, and member of a prominent Liberty Hill S.C. clan, enlisted in the U.S. Army. After training at Lexington County's Camp Styx, Richards headed for Europe. The trenches of France matured Richards as he rose through the ranks of the Old Hickory Division from private to corporal to sergeant and, finally, won a battlefield commission. By the time of his 1919 discharge, Lieutenant Richards had decided to study law at the University of South Carolina, a modest law school at the time, labeled by one historian "a phone booth operation."[4]

The university's yearbook *Garnet and Black* features a handsome young veteran who starred on the baseball diamond. An award-winning orator, student newspaper editor, and campus political leader, Richards' yearbook profile noted "He is a politician of the old order, knows the needs of his fellow citizens, and always has a remedy therefore--a political gift that is bound to accomplish for him every office that lies within the power of his people to bestow."[5]

With his LL.B. in hand, Richards moved in 1921 to Lancaster. The following year the young attorney outpolled an opponent and won the county's probate judgeship. Thirty years later Richards recalled, "They thought I was a young upstart." "Upstart" or not, Richards' 1922 victory was re-affirmed as he easily won re-election in 1926 and 1930. Amid the turmoil of the Great Depression, Judge Richards focused his attention on ousting William Francis Stevenson.[6]

The University of South Carolina's yearbook revealed that Richards' motto was "The Bigger they are, the harder they fall." Caution would be required, nonetheless, in a campaign against Stevenson. As we have seen, the seventy-one year old lawmaker had an impressive political résumé. After service in state government, he had walked the halls of Congress since 1917. The district had a history of re-electing its representatives;

[3]*Biographical Directory of the American Congress 1774-1971* (Washington, 1971), 1754-55; other biographical data on Stevenson is found in Dan and Inez Morris, *Who Was Who in American Politics* (New York, 1974), 543, J. C. Garlington's Sketches of Living Notables (Spartanburg, S. C., 1902), 403, and in Marie G. Wiggins' *Some Cemeteries of Chesterfield County, South Carolina (Monroe, N.C., 1983)*, 36.

[4]A good starting place for biographical information on Richards would be his papers at the South Caroliniana Library; additionally, I recommend *Who's Who in South Carolina* (Chicago, 1947), 285, *Current Biography 1951* (New York, 1951), 516-18, and my "America Comes First With Me: The Political Career of Congressman James P. Richards, 1932-1957" Ph.D. dissertation, University of South Carolina, 1987, Columbia, S.C.; Comments by John Crangle before the S.C. Historical Association's annual meeting, March 7, 1987, Benedict College, Columbia, S.C.

[5]*Garnet and Black*, vol. 23 (Columbia, 1921) 108; *ibid.*, 141; *ibid.*, 147.

[6]Edward H. Sims, "The 'Dick' Richards Story" in *The State Magazine*, August 19, 1951 (Columbia, 1951); *The Lancaster News*, August 29, 1922; *ibid.*, August 31, 1926; *ibid.*, August 29, 1930.

the last incumbent to be toppled lost his seat in 1898. Thus, to send Stevenson into involuntary retirement, Richards must be careful in his confrontation "on the stump."[7]

Dissatisfaction with Congress would boost Richards' chances. As legislative bodies sometimes do, the 73rd Congress was eager to adjourn and return home to campaign for re-election. A district newspaper advised "Stay on the job, Congress." The newspaper stressed the country's dire economic condition and added an ominous warning "Folks are getting peevish and there's no telling what they might do if things don't come to a head pretty soon."[8]

Capitalizing on this anti-Congress sentiment, Richards told 300 citizens assembled in Camden in July, "The two things most wrong are the tariff and governmental extravagance." The federal workforce had become bloated at a time when many people were unemployed. Then, in a question he would ask repeatedly, Richards inquired, "What has Stevenson done in his 16 years in Congress?" Concluding his speech, Richards divulged that Stevenson's top aide, A. E. Hutchinson, had two jobs: one in Washington and one as reading clerk of the S.C. House of Representatives. Stevenson could not answer this barrage, however, because he was absent, "detained in Washington on business."[9]

On July 25 Richards told a large hometown crowd that the incumbent had "his hand in the gravy." Again Richards noted Hutchinson's dual employment. The incumbent completely missed the point of Richards' attack. The solon explained that he had no "relatives" on his payroll. He reminded Lancaster's voters that he had protected seed loans, and he blamed the Republican Party for the county's ailments. He emphasized his commitment to "economy" in government, a boast deflated by Richards' assertion that since 1917 the money spent on federal employees' salaries had skyrocketed from $350,000,000 to $1,350,000,000.[10]

Moving on to Fairfield County, Richards made his most forceful and eloquent appeal so far. He told the crowd, "I am not one of those who take the position that just because a man has been in office a long time he should be removed; but I do take the position that a man who has been in Congress for sixteen years and has developed no leadership in his party, or has done nothing outstanding for his constituents, should step aside for new blood." Age and effectiveness had masterfully been blended as a campaign issue. Therefore, it was time for the district to discard its usual practice of mechanically reelecting representatives. Richards remarked, "To help our people the driftwood must be cleared away and fossils replaced by new growth." Hutchinson's spectre was assailed, and Richards said, "This has been the case when we have about ten million unemployed in our country and when children are crying for bread because their father cannot find work."[11]

Seeking to explain the nation's economic collapse, Richards argued, "All this cannot

[7] *Garnet and Black*, 108; interestingly, most of the district's political leaders considered Richards a longshot; they were grooming the son of the late Congressman Finley to challenge Stevenson in 1934, interview with U.S. Representative John M. Spratt, Jr., February 21, 1990, Washington, D.C.

[8] *Lancaster News*, June 7, 1932.

[9] *Lancaster News*, July 19, 1932.

[10] *Lancaster News*, July 26, 1932.

[11] *Lancaster News*, August 2, 1932.

be traced to Hoover. . . ." The implication was that others, including Congressman Stevenson, shared responsibility for the economic paralysis. Then, Richards inquired, "What has Stevenson done? What can you expect of him in the future?"[12]

Stevenson ignored the criticism of Hutchinson. The incumbent spent his time "on the stump" criticizing the Hoover Administration's Smoot-Hawley Tariff. He contended, "Manufacturers destroyed themselves by the tariff and also destroyed the buying power of the farmers." He noted that he had opposed Hoover's moratorium on foreign debts and vowed, "I will never vote to cancel or reduce by a red cent debt owed this country." He concluded by saying that the major thing beleaguered America needed was "Confidence."[13]

Skillfully Richards hammered away at the issue of Hutchinson's two positions. Unemployed textile workers, businessmen, and farmers could easily become outraged at a Congressman who reserved two jobs for a top aide. For his part, Stevenson failed to grasp the significance and danger of this issue until a stump meeting in Rock Hill, the district's largest town. Before a crowd of 1,500 citizens, the incumbent said Hutchinson was paid by the state for his work in Columbia and by the federal government for his work on Stevenson's staff. Curiously, Stevenson admitted that the widow of a nephew of his first wife worked in his Washington office. The water sufficiently muddied, Stevenson announced, "I desire to state that neither my first wife nor my second wife was ever on my pay-roll. . . ."[14]

During his visit to the lectern, the challenger praised the late Congressman Finley, a York County native, and told the Rock Hill voters that Finley accomplished more in three years than Stevenson had accomplished during his entire tenure. The town had gotten its new post office only through the generosity of the Hoover administration, without Stevenson's support, Richards alleged. Finally, in what may be the campaign's climax, Richards turned to Stevenson, a man who had never served in the military, aimed, and fired, "When he was rolling in fat, I was carrying a rifle at Camp Styx." The crowd, sprinkled with World War I veterans, exploded in applause. Even though Stevenson's political demise would not be official until Richards' 2,000 vote victory in the Democratic Party's primary later that month, William Francis "Seaboard Bill" Stevenson died that night in Rock Hill "on the stump."[15]

In the York county hamlet of McConnellsville, the 1940 campaign's tone was set. During an early August stump meeting, Richards outlined his support of President Roosevelt and boasted "we brought back prosperity". His rival, Cherokee County Probate Judge Roy C. Cobb, understandably viewed the Richards record differently. Cobb, a former state legislator, said Richards was not "measuring up" in Washington. Furthermore the challenger accused Richards, a member of the House Foreign Affairs Committee, of neglecting the district in order to dabble in the international arena.[16]

The 1940 campaign's climax came a week later during a confrontation at a

[12] *The State*, August 2, 1932.
[13] *Ibid.*
[14] *Evening Herald*, August 3, 1932.
[15] *Ibid.*
[16] *Evening Herald*, August 10, 1940.

Lancaster County meeting. Before a crowd estimated at 1,000, Cobb swung away at the Richards record. The challenger alleged that Richards had used his influence to secure employment for members of the Richards clan, including the congressman's father. Misjudging the gravity of that charge, Cobb stepped away from the lectern, drank a glass of water, and sat down to listen to what he believed would be Richards's standard "prosperity" speech.[17]

Richards approached the lectern, quickly defended his New Deal record, and paused. Like the judge he had once been, Richards called upon Cobb to stand before him. Cobb rose, his face reddened, and the crowd roared. No Richards clan member had been employed by the federal government, Richards lectured Cobb, except for a second cousin who had worked in a "sewing room project." Cobb apologized for his affront to the Richards family, but the damage to Cobb's candidacy had been done. Richards had defended his family and won the admiration of the crowd which a Rock Hill newspaper said became "pro-Richards to a man." Six of the district's seven counties endorsed the incumbent in the August 27, 1940 Democratic Primary.[18]

By 1952, the district had changed significantly. Gone were the multitude of stump meetings in hamlets like Chester county's Hallselleville and York's Filbert. Now politicians concentrated on the area's larger towns. At a Lancaster Court House joint appearance, thirty-two year old Gaffney attorney Wade S. Weatherford blasted Richards' support of Communist Yugoslavia and Spain's Dictator Franco. He added that "in foreign policy we have been involved in some of the worst blunders in history." Richards, now Chairman of the Foreign Affairs Committee, deserved part of the blame for these "blunders."[19]

Richards responded that "for the first time in 99 years" the district had a representative chairing a major House Committee. Defending his position on Yugoslavia, Richards explained, "Only after I had talked with General Eisenhower and General Omar Bradley did we decide to help Yugoslavia. . . ." He supported Franco because "We want airfields in Spain . . . to shower bombs on Russia should she move against us. . . ." On July 9 the district's voters endorsed Washington influence rather than change, as Richards defeated Weatherford by nearly 10,000 votes.[20]

1954 was Richards' last race for Congress and that year he saw a vigorous repeat challenge by Weatherford. Before 300 onlookers attending a Rock Hill political meeting, Weatherford lashed out at Richards' preoccupation with international affairs. The incumbent sought, as Representative Stevenson had two decades earlier, to ignore the challenger. Weatherford then accused the lawmaker of "giving him the run-around." Weatherford increased his attack during a May speech in Chester. With the incumbent delayed by business in Washington, Weatherford used Richards' absence to hammer away at a man who he considered to have lost interest in the Fifth Congressional District. Weatherford stressed his youth, World War II service, and, as Richards had done in 1932,

[17] *Lancaster News*, August 20, 1940; Richards supported the New Deal 72% of the time in the Congress, see Jack Isly Hayes' "South Carolina and the New Deal, 1930-1938," Ph.D. Dissertation, University of South Carolina, 1972, 48-53.

[18] *Ibid*; *Evening Herald*, August 28, 1940.

[19] Interview with Tyre D. Lee, Jr., January 26, 1987, Chester, S.C.; *Chester Reporter, July 3, 1952.*

[20] *Lancaster News*, July 8, 1952; *Chester Reporter*, July 10, 1952; *Lancaster News*, July 11, 1952.

called for new representation in the nation's capitol.[21]

Weatherford told the Chester audience that their Congressman was using his Washington staff as campaign operatives. He emphasized his own modest financial status and argued that Richards' use of staffers for political purposes was unfair. The challenger noted that the incumbent was an ally of Governor Byrnes who had supported Republican Dwight Eisenhower in 1952. Perhaps Richards was not, Weatherford suggested, loyal to his party.[22]

Richards then arrived and spoke in his defense. He admitted that his Washington staff often accompanied him to the district because his duties "must go on no matter where I am." He acknowledged that two aides often worked in his Lancaster law office, but neither person "has anything to do with this political campaign. They are carrying on the work they would be doing if I were in Washington."[23]

Shifting his defense, Richards questioned Weatherford's awareness of the day's complex issues. Among these issues were "that McCarthy humbug in Washington; Indo-China on fire; that dangerous peace in Korea; the problem of the nation's farmers; taxes and the national debt." He voiced his support for the Democratic party and ridiculed Weatherford's call for "a younger man for my job." Experience and congressional influence, not reckless enthusiasm were in the best interest of the district, sixty year old Richards insisted.[24]

Before 300 onlookers at a May stump meeting in Rock Hill Richards commented, "If I can't take care of him (Weatherford) now, I can't take care of your problems in Washington." He urged the citizens to consider the larger issues of the day and warned, "What we face in war and peace is a tough load; what we do in Washington means a lot to you, to me, and to the world." While Richards promoted his fitness to continue serving the district, Weatherford yawned several times.[25]

After the congressman concluded his remarks, Weatherford told the voters, "I'm going to call a spade a spade." He endorsed lowering social security eligibility from age sixty-five to sixty. He advocated lower taxes for the poor. He again attacked the lawmaker's use of staff members for duties which Weatherford considered strictly political. He questioned Richards for spending "months away from office" on Foreign Affairs Committee fact finding trips. Reiterating his call for "a new generation," Weatherford concluded, "I will continue to say the truth. The truth wouldn't come forth unless I brought it out."[26]

At a Lancaster appearance held the night of the supreme Court's *Brown v. Board of Education* decision, Richards did not mention the landmark ruling but pleaded "I am deeply humble and grateful for the confidence you have placed in me. If re-elected to Congress, I shall re-dedicate myself to the best service I can give my district, state and nation." For his part, Weatherford pulled from his pocket newspaper clippings which

[21] *Evening Herald*, May 3, 1954; *Chester Reporter*, May 5, 1954.
[22] *Chester Reporter*, May 5, 1954.
[23] *Ibid.*
[24] *Ibid.*
[25] *Evening Herald*, May 10, 1954.
[26] *Ibid.*

focused on Richards 1932 campaign against Stevenson. Just as in 1932, Weatherford contended, the district was ready for a change in Washington.[27]

Despite Weatherford's energetic assault on the congressman's record, the voters in the June primary overwhelmingly returned their lawmaker to Washington by a margin of nearly two-to-one. One Richards aide, however, remembers the legislator as being "bruised" by Weatherford's attacks "on the stump." Female members of Richards' family recall being banned from witnessing the combat occurring at that year's stump meetings. Richards, as always, took his opponent seriously and once sailed a boat to the middle of a pond in order to draft a crucial speech without being interrupted.[28]

In 1932, Richards lamented that his successful campaign effort had depleted his finances. He had spent $1,000, most of which funded the printing of cards for distribution at stump meetings and purchased fuel to travel to those meetings in his battle to topple Stevenson. The 1954 campaign cost $35,000, much of which was earmarked for radio advertisements and production of a slick brochure distributed throughout the district. The district's present incumbent spent over $300,000 to achieve success in 1982. Much of that money purchased expensive television time and the services of a leading campaign consultant. The face-to-face confrontations "on the stump" have disappeared. In their place, we now find a far less personal, a far more costly, and a much too sterile brand of political combat.[29]

[27] *Lancaster News*, May 17, 1954.

[28] *Lancaster News*, June 10, 1954; interview with Holly M. Blanks, June 26, 1986, Chester, S.C.; interview with John M. Spratt, Jr., February 21, 1990, Washington, D.C.; interview with Jane Elliot and Dorothy Richards, November 9, 1989, Lancaster, S.C.

[29] Interview with Blanks; Interview with Charles H. Fant, Jr., February 21, 1990, Washington, D.C.

SOLOMON BLATT: "A SEGREGATIONIST IN MODERATION?"

Timothy D. Renick
Fort Monroe, Virginia

Known as "King Sol" to his legislative colleagues, as the "Barnwell Jew" by several unfriendly newspapers, and "Mister Speaker" to a majority of South Carolinians, Solomon Blatt, when he died at 92 in May 1986, was the oldest man serving in any legislative body in the United States. Elected Speaker in 1937, he remained in that position until 1973, a period longer than any other man in the history of any state in America.

This paper will address three points regarding Blatt's political career. First, that he was an anomaly, a Jew from a small southern town, who was elevated to what is unarguably the most powerful political position in South Carolina. Second, the ironic aspect of a man born in America of poor Jewish immigrant parents, who was able to assimilate into southern society and rise to power while adamantly resisting the breakdown of racial barriers by another minority. Third, that despite the fact that Blatt himself characterized his position as being a "segregationist in moderation," he was in actuality an immoderate segregationist and remained that way long after it was politically fashionable.

What then were the roots of Blatt's conservative racial attitudes and how was he so successful in assimilating into southern "white" society, to the extent that he became one of the chief architects and defenders of a segregated state? Blatt often found it difficult to maintain his Jewishness in rural South Carolina and was often criticized for downplaying his Jewish heritage in order to facilitate his climb to power. It is also true that while most Jewish officeholders in the South tended to be moderate on issues of race, as the South grew more sensitive and insecure in its segregationist attitudes, a few Jews "turned stark white, with the slogans, phrases, and idioms of the white majority."[1]

Blatt was one such aberration, becoming one of those "rare variety of Jewish segregationists." He is remembered by many as an "obstructionist racist politican who did his best to stop blacks from getting equal rights" and has also been referred to as "a

[1]Eli N. Evans, The Provincials: A Personal History of Jews in the South *(New York: Atheneum, 1973), 140-42.*

leader of many pieces of legislation which were degrading to blacks and not in the best interests of race relations."[2]

The above characterizations of Blatt are all the more paradoxical considering that he frequently articulated instances where he himself suffered from racial intolerance and discrimination. "I happened to be of minority faith, and travel in the road of life in my early days was rough. It was the days when the Klan was pretty active . . . they sort of stayed on me a bit."[3]

One of the first manifestations of Blatt's staunch support of South Carolina's system of racial separation occurred in 1937 when he responded to a threatened NAACP lawsuit filed on behalf of a black applicant to the University of South Carolina law school. Blatt, who was on the Board of Trustees, was particulary concerned with maintaining the University's segregated status. He issued the following statement:

> The white people of South Carolina need not have any fear as to what the outcome of this application is going to be. The Board of Trustees will do everything in their power to maintain the University for white students only, and in so doing, will protect the other institutions for white students supported by the state.[4]

A year later Blatt submitted a bill to establish a law school at South Carolina State College in Orangeburg to meet what he termed a critical situation. He urged immediate action by the House Judiciary Committee to forestall an effort to force the admission of a black to the law school: "We know of no other way to meet this than to establish a chair of law at the State Negro College," he said, and politely reminded his colleagues in the House that "negroes do pay taxes and therefore are entitled to consideration." He also pointed out that the NAACP had "someone at the head that is really smart . . . we have every reason in the world to believe that they will mandamus us in the next few days in hopes of having the negro admitted to the University."[5]

It was not until 1943 before the legislature actually appropriated the funds for the law school. In the meantime it passed a resolution which denounced all organizations seeking "the amalgamation of the white and Negro races by co-mingling of the races on any basis of equality." Such acts were deemed "hostile to the existence and preservation of the American union of states." The legislature also reaffirmed its allegiance to "established white supremacy" and pledged its "lives" and "sacred honor to maintain it whatever the cost."[6] It also demanded firmly and unequivocally that "henceforth the damned agitators of the North leave the South alone."[7]

A black law school was eventually opened at South Carolina State College in September 1947. Civil rights spokeswoman Modjeska Simkins characterized it as "that

[2]Charlotte *Observer*, 15 May 1986.

[3]South Carolina Department of Archives and History, "Governor Robert McNair Oral History Project: Interview 1/16/1 of Solomon Blatt, Sr." Interview conducted 18 January 1980 by C. Blease Graham, 1.

[4]*The State*, 29 August 1938.

[5]*The State*, 19 January 1939.

[6]*New York Times*, 1 March 1944.

[7]*New York Times*, 2 March 1944.

little cheap, half-baked school."[8] NAACP attorney Thurgood Marshall accused state authorities of setting "up a Jim Crow dump in South Carolina" and calling "it a law school."[9]

After the United States Supreme Court struck down the "separate but equal" doctrine in 1954, the South Carolina General Assembly became active in the pursuit of policies designed to thwart the intent of this ruling. It enacted legislation at almost a "mass production rate," until by the Spring of 1958 there were a total of twenty-eight laws on the books opposing desegregation or defending segregation.[10]

Organized movements sprang up to mobilize resistance all over the South. Blatt became associated with one of these groups, called Citizens' Councils and known as the most "respectable" wing of the resistance movements in contrast to other more violent groups. Composed of only "the better class of southern whites," they were supposedly committed to strictly legal remedies for resisting and circumventing federal authority.[11]

On the night of January 26, 1956 Blatt participated in a rally in Columbia sponsored by the State Association of Citizens' Councils. An overflow crowd of 4,000 turned out at the Township Auditorium to hear key speaker Senator James O. Eastland of Mississippi. Other celebrities who appeared included Senators Strom Thurmond, Olin D. Johnston, and former governor James F. Byrnes.[12] Blatt spoke first, assuring his listeners that the legislature was vitally interested in continued segregation. "The public need have no fear, the legislature will fully perform the duties expected of them. We won't let you down."[13]

Following this event, Blatt increasingly expounded publicly upon the image of South Carolina as a land of tolerant people beset by outside influences. He further contended that the state's pattern of segregation was conducive to the maximum harmony in race relations. In a 1956 speech he said:

> As charitable as we are, tolerant of the views of others, all of the people of this Nation must understand, we are South Carolinians, proud of our heritage and we will use every reasonable, honest and lawful means at our command to protect our way of life.[14]

In another speech he declared that South Carolina "if permitted to do so without outside interference" would "properly attend to all of her responsibilities." He further warned that the people in South Carolina did not want "outside influences to come in and run the schools for them."[15]

Blatt's portrayal of a tolerant state belied reality, though. The period from 1956

[8] *Palmetto State*, National edition, 27 September 1947.

[9] Marshall to University of Chicago law school professor, William R. King, 2 October 1947. *papers of the NACCP.* Pt. 3, series B, reel 14, frame 360.

[10] Howard H. Quint, *Profile in Black and White: A Frank Portrait of South Carolina* (Washington, D.C.: Public Affairs Press, 1958), 104.

[11] Neil R. McMillen, "Citizen's Councils," in *The Encyclopedia Of Southern History*, eds. David C. Roller and Robert W. Twyman (Baton rouge: The Louisiana State University Press, 1979), 215-216.

[12] *Life Magazine*, 6 February 1956, 22-23.

[13] *The State*, 27 January 1956.

[14] *The Ceremonies Attending the Unveiling of the Portrait of the Honorable Solomon Blatt.*

[15] *The Ceromonies Attending the Unveiling of the Portrait of the Honorable Solomon Blatt.* 8 January 1957, 18, 22.

to 1960 was in fact a time in which dissident or liberal views brooked little tolerance from a political establishment bent on defending the traditional citadels of Southern society. Any criticism of the South's racial policies was attributed to foreign subversives and communist agitators. "All over the South," wrote C. Vann Woodward, "the lights of reason and tolerance and moderation began to go out under the resistance and demand for conformity." During this period, "books were banned, libraries were purged, newspapers were slanted, magazines disappeared from stands, television programs were withheld, and films were excluded."[16]

The mood in Columbia, as characterized by Alice Spearman, Executive Director of the South Carolina Council on Human Relations, was one complicated by the "present witch hunting" and influenced by "shades of McCarthy." The situation was "near hysteria with many people asking who is who and suggesting that many people, especially Negroes, are communists or fellow travellers."[17] White leaders who otherwise might have assisted in moderating the path that the state followed regarding racial issues were simply too intimidated to act. Those who did speak out were many times ridiculed, physically threatened, or forced to flee the state.[18]

One particular case of intimidation occurred at the University of South Carolina in late 1957 after an anti-segregationist article written by a faculty member so infuriated Blatt that he was to play an instrumental role in the professor's dismissal. "The Role of the Segregationist," written by Dr. Joseph Margolis of the Department of Psychology and Philosophy, appeared in the December issue of the bulletin published by the American Association of University Professors.

Blatt immediatly fired off letters to Governor James Byrnes and University of South Carolina President Robert L. Sumwalt in which he conveyed both shock and disgust at the article's content, charging that Margolis expressed his "views in opposition to our feelings about segregation." Blatt strongly urged that "positive action" be taken by the university to get Margolis to resign and if this could not be done, he recommended that "we should fire him."[19]

Newspaper editors throughout the state found themselves in the uncomfortable position of having to reconcile their genuine concerns for the defense of free speech with the actions being taken against Margolis for his criticism of state-sponsored-segregation. Blatt's own hometown paper claimed to "defend any man's right of having his own opinions," though it suggested that Margolis would be "much happier were he to quit the South as a place of residence and return to a Northern state."[20]

Blatt's advice did not go unheeded because on May 28, 1958 the Executive Board of Trustees for the University of South Carolina reported that Dr. Margolis had been notified of his termination.[21] This was allegedly in response to a letter from Psychology

[16]C. Van Woodward, *The Strange Career of Jim Crow*, Second Revised Edition (London: Oxford University Press, 1957), 165-166.

[17]Spearman to Dabbs, 24 January 1958, General Correspondence Files. Papers of the South Carolina Council of Human Relations-South Caroliniana Library (SCCHR-SCL).

[18]William Bagwell, *Desegregation in the Carolina's*, (Columbia, South Carolina: University of South Carolina Press, 1972), 140-141.

[19]Blatt to Byrnes, 30 December 1957. papers of James F. Byrnes. Special Collections, Robert Muldrow cooper Library, Clemson University, Clemson, South Carolina. (Courtesy of Dr. Marcia Synnott).

[20]*Barnwell Peoples-Sentinel*, 9 January 1958.

[21]*Minutes of the Board of Trustees, January 1, 1955-January 1, 1959, University of South Carolina*, vol. no. 9, page 236.

and Philosophy professor Dr. M. Kershaw Walsh to the Dean of the Faculty, Dr. W.H. Callcott, recommending that the services of Dr. Margolis be terminated in accordance with the tenure regulations of the University as well as a purported claim of serious incompatibility and friction that had developed in the department. Walsh also said that such action was taken "in the interest of the harmonious functioning and future development of this department."[22]

Dr. Callcott communication to President Sumwalt stated that "The effort to inject the issue of freedom of speech involving a controversial domestic problem should not be considered pertinent to the case in hand." He alluded to serious departmental problems and conditions involving Margolis that supposedly antedated the publication of the article.[23] The matter was closed when Margolis left the state at the end of the school year to take a position at the University of California.[24] "So another light was put out," wrote activist Margaretta Childs.[25]

On April 6, 1959 Blatt delivered a speech before the Hebrew Benevolent Society that received national news media attention and proved to be one of his most controversial public statements ever on race relations. Hhe warned Jewish people not to become too active in the struggle for civil rights that was being waged in the South. There were dangerous "inclinations among some Jewish people in America to establish themselves as a minority force in the storm of political propaganda which surrounds and confuses the Negro question in the South." He went on to say that there "was no intolerance in public life in South Carolina and that "not the Negro race, nor any other race, is oppressed in South Carolina today, and I am a living example of the tolerance of the people of this great state." According to Blatt, "nowhere else on the face of the earth" were blacks "happier, more prosperous, more contented, more a part of the general way of life than in South Carolina."[26]

Following this speech the General Assembly adopted a concurrent resolution that formally gave "its stamp of approval" to Blatt's "forthright" statement on race relations. The resolution referred to Blatt as one born of Jewish emigrant parents who "called upon South Carolinians of all races to recognize that every race living in South Carolina has equal opportunity for happiness and progress and that each individual has the opportunity to prove himself for what he is worth."[27]

In reflecting on this speech twenty-five years after the fact, Blatt appeared unrepentant:

> In that speech I begged the Jewish people to be careful how they dealt with the black program. I said you are the ones who are goint to suffer if you become active and I believe in fairness. But you are going to pay the penalty.

[22]Walsh to Callcott, 12 February 1958. File "Margolis." Robert L. Sumwalt papers- University of South Carolina Archives 9RLS-USCA).

[23]Callcott to Sumwalt, 3 July 1958. File "Margolis." RLS-USCA.

[24]Bagwell, *Desegregation in the Carolina's*, 155.

[25]Childs to Spearman, 18 April 1958. General Coorespondence Files. SCCHR-SCL.

[26]*Address Delivered to the Hebrew Benevolent Society of Charleston, April 6 1959 at Charleston, S. C. By The Honorable Solomon Blatt.* Printed by order of the S. C. House of Representatives (Under H. R. 1508, adopted April 8, 1959.

[27]*Greenville News*, 8 April 1959.

> They are going to turn upon the Jewish people the first thing they do. . . . and I told them . . . you watch your stores and whatnot. And it wasn't six months after that before they began burning the Jewish stores, the merchants' stores in New York, and breaking the windows. It followed in line with what I said.[28]

The year 1960 was a turning point in the southern resistance movement against desegregation. Up to that point most southerners had felt that the civil rights movement was due soley to outside agitation and that southern blacks were actually a contented lot, happy with the segregated way of life, and if only left alone would never consider protesting.[29] Massive resistance began to collapse everywhere but in the Deep South, though, a breakthrough in racial accommodation that was facilitated by a "growing realization among whites that black goals were indeed reasonable and their attainment would not mean the destruction of the social order." Even South Carolina, one of only three states that had not admitted any blacks into white schools by the end of 1961, began to move away from massive resistance towards a peaceful accommodation.[30]

Despite the changing tide Blatt remained an intransigent segregationist who maintained that the problems in the South were distorted and exacerbated by outside agitators. In a speech before the Daughters of the Confederacy in 1960 he urged the "people of South Carolina and the other Confederate States" to stand "faster than ever by the traditions which Southern people hold so dear." He blamed the racial problems in the South on "misguided political agitation on the national front" in which the South had "for a number of years been subjected to malicious and contemptible misrepresentations of our history and traditions. While South Carolina segregated the races on buses," Blatt doubted that there were "as many Negro people in any other state of the nation" who enjoyed "the privileges of driving their own automobile, and of conducting their own businesses, and being taught by teachers of their own kind." He further alluded to "forces of all kinds that have been exerted to break the spirit of the South, to destroy the customs of the South. . . . We have controlled practically every instinct to do violence."[31]

In contrast to Blatt, those who prepared for the desegregation of Clemson and the University of South Carolina were moderates who had learned from the mistakes of other states. Thus South Carolina was ultimately able to adopt a more pragmatic approach. When confronted with a federal court order to admit a black student to Clemson in January 1963, "most of its political leaders, including two governors, united with college officials and businessmen to support voluntary compliance."[32]

Blatt's name was conspicuously absent from the list of those prominent politicians who assisted in this behind-the-scenes effort to desegregate peacefully. There are even

[28]Howard Simmons, *Jewish Times: Voices of the Jewish Experience* (Boston: Houghton Mifflin Company, 1988), 233.
[29]Woodward, *The Strange Career of Jim Crow*, 168-169.
[30]John C. Sproat, "Firm Flexibility: Perspectives on Desegregation in South Carolina," *New perspectives on Race and Slavery in America*, eds. robert H. Abzugand and Stephen E. Maizish (Lesington, KY: University Press of Kentucky, 1986), 172, 180.
[31]"Speech before the Daughters of the Confederacy," January 1960, Speech File. Solomon Blatt Papers-South Caroliniana Library (SBP-SCL).
[32]Marcia G. Synnott, "Federalism Vindicated," *Journal of Policy History* 1 (1989): 304-305.

indications that Blatt attempted to undermine the process. His disagreement with the position taken by the Kennedy administration is conveyed in a letter that he wrote to fellow segregationist, Congressman Albert Watson in 1963. "Don't worry about the Kennedy clan taking the patronage away from you. I think that you are making friends by your strong stand against their effort to destroy the white people of the South."[33]

One of the more divisive issues with which the legislature had to grapple in the 1960's involved attempts to reenact the state's school compulsory law. This had been repealed in 1955 so that white parents could not be legally compelled to send their children to schools in which blacks were enrolled. Things did not go exactly according to plan, because, as the *Charlotte Observer* pointed out, "South Carolina scrapped its compulsory school attendance law in 1954, fearing it would lead to forced integration. Integration came anyway and so did a marked growth in dropouts and illiteracy."[34]

Blatt remained steadfastly opposed to a reinstatement of the school attendance law in spite of the fact that many of his colleagues had moderated their positions. The bill was brought before the House on March 23, 1966 and on that day Blatt made a dramatic and impassioned plea. One account reported that "the rafters practically shook in the House of Representatives . . . when Speaker Solomon Blatt let go with an oratorical explosion against a proposed compulsory school attendance law."[35] According to the *Greenville News*, the proposed school attendance law "survived a tearful frontal assault" when Blatt "stabbed his finger at attentive House Colleagues and in an quivering voice demanded, 'Do you want some 16-year old so-and-so holding the hand of your little granddaughter in the classroom? Sol Blatt does not want that. For God's sake help me out.'"[36] Asked if he would prefer having 16-year old illiterates walking the streets or in school trying to get an education, Blatt replied, "I'd rather have them on the streets. They can be avoided there. I don't want them sitting in class with my granddaughter holding hands during May Day activities, playing with her, and going places where they go."[37]

The House heard him to the end in shocked silence and then voted against him, 73 to 32. The speech was widely criticized and tainted Blatt's reputation in the eyes of many because his argument, which in another era would have been overpowering, was so "embarrassingly divisive."[38] It was called "a wild-eyed tirade" by one black school organization which also felt that Blatt's remarks from the House floor did not represent "the increasingly enlightened thinking of both races in the state." They viewed "with alarm the blind and reactionary vision taken by the speaker of the House of Representatives" and mourned "the lack of progress in the area of education due mainly to the perpetuation of a man of limited vision like Solomon Blatt in a position of high governmental responsibility."[39]

The *Charlotte Observer* characterized Blatt's speech as an attack that "took on race

[33]Blatt to Watson, 16 July 1963. Public-General File. Solomon Blatt Papers-SCL.
[34]*Charlotte Observer*, 26 March 1966.
[35]*Charlotte Observer*, 26 March 1966.
[36]*Greenville News*, 24 March 1966.
[37]*The Augusta Chronicle*, 24 March 1966.
[38]Robert Sherrill, *Gothic Politics in the Deep South: Stars of the New Confederacy* (New York: Grossman Publishers, 1968), 243.
[39]*The State*, 30 March 1966.

baiting typical of a Vardaman, Cotton Ed or Pitchfork Ben." In the 1900's demagogues like "Mississippi's James Vardaman warned that educating the Negro would spoil a good field hand and make an insolent cook. Blatt departed only slightly from this reasoning."[40] Blatt's diatribe against the compulsory attendance bill in effect left him "branded as a racist in the eyes of South Carolina's Negro leaders."[41] A former colleague called the speech "the beginning of the end for the speaker. It just took a few years for the seeds to germinate."[42]

Solomon Blatt, the son of Jewish immigrants, long-time speaker of the South Carolina House of Representatives, and one of the most powerful politicians in state history, spent much of his life in a segregated society. He was, therefore, forced to reconcile the struggle of his immigrant parents in a new country with his own struggle against the demands of another minority. Blatt was not unlike most white southern leaders at the time who when faced with the prospect of desegregation reacted defensively. The characteristic that tended to distinguish Blatt from most southern segregationists was the degree of this displeasure in light of his minority faith and ethnic background.

Of the motives for Blatt's conservative attitudes on race, much can be attributed to political expediency. Any southern elected official before 1960 who wished to remain in office had to articulate anti-desegregationist themes. Perhaps Blatt summed his feelings up best when asked how he could have held these views considering "Jews are supposed to care about social justice and equality"? His answer was, "The same way those minorities burned those stores in New York, broke the windows. If that indicated how they felt towards my people, I wasn't going to open the door and tell them to come in."[43]

After 1960 increased black voter registration prompted many white elected officials to become more attuned to black concerns and interests. Blatt, though, held steadfast to the attitudes and vestiges of an unpleasant era far longer than many of his colleagues and did not begin to adjust to the new realities until very late in his career.

A manifestation of this belated "moderation" occurred in March 1974, when Blatt voted with the large majority of South Carolina House of Representatives to designate January 15 as Martin Luther King Day. According to a skeptical *Columbia Record*, "One individual vote and one which must have raised a few eyebrows among those with historical perspective was that of former House Speaker Solomon Blatt." The newspaper pondered whether the vote reflected a genuine concern for the sensitivities and sympathies of blacks or if it was only a decision based upon a pragmatic awareness of their political clout. "Times have changed. So, apparently, has Sol Blatt and a lot of other White House members."[44]

[40] *Charlotte Observer*, 26 March 1966.

[41] Roger M. Williams, "Two Old Men: In South Carolina, Brown and Blatt are the Senior Partners," *South Today* 2 (April 1971), 5.

[42] *The Columbia Record*, 6 April 1976.

[43] Simons, *Jewish Times*, 234.

[44] *The Columbia Record*, a March 1974.

WHEN VOTES DON'T ADD UP: LABOR POLITICS AND SOUTH CAROLINA WORKMANS' COMPENSATION ACTS, 1934-1938

Bryant Simon
University of North Carolina-Chapel Hill

Speaking before a throng of Spartanburg millhands amid the General Textile Strike of 1934, gubernatorial candidate Olin D. Johnston hitched up his pants and proclaimed: "I'm Labor's True Friend." He explained: "I went into the mills when I was twelve years old when other boys my age were going to school . . . I know the problems that daily confront those who work with their hands for a living." The candidate promised the crowd more than understanding; he vowed to "see South Carolina unsurpassed in the Union for the consideration shown her working people." [1]

Johnston rode to victory on the back of the labor vote and trounced Cole Blease, the erstwhile favorite son of the millhands and staunch foe of state action. Palmetto State laborers greeted his triumph with boisterous parades and street dances, and also with anxious anticipation of change. Shortly after Johnston's inauguration, for instance, the President of the South Carolina Federation of Textile Workers informed the new chief executive: "We trust that you will reward us for what we have done for you." One textile operative wrote: "You no how us mill people are treated . . . please help us wont you." Another stated: "We have supported you in all your campaigns in expectations of your help." [2]

Following closely on heels of the advent of the New Deal, the election of Johnston, along with a dozen other pro-labor lawmakers in 1934, inspired working-class hopes for a broad expansion of their rights within South Carolina society. Expectations, however, soon fizzled into frustrations. During the 1935 legislative session, representatives introduced twenty-nine labor bills, including measures to abolish the stretch-out, fix minimum wage and maximum hour levels, and bar anti-union discrimination. All but one of these propositions either drowned in committee or sunk on the Senate floor. The Workman's Compensation Act -- the subject of this paper -- was the single bill which

[1] The above is a composite sketch of Johnston's typical stump speech. For details see JoAnn Deakin Carpenter, "Olin D. Johnston, The New Deal and the Politics of Class in South Carolina," (Ph.D. dissertation, Emory University, 1987), pp. 62-108; Charlotte *Observer*, September 11, 1934; Untitled speech, n.d., Box 10; and "Olin D. Johnston – Labor Governor," April 13, 1936, Box 25, Olin D. Johnston Papers, South Carolina Department of Archives and History, Columbia, South Carolina, (SCDAH).

[2] John Pollard to Johnston, April 4, 1935, Box 20; Ellie Smith to Johnston, August 26, 1935; Box 37, Folder: Reconciliation Board; C.B. Hancock, February 18, 1935, Box 2, Olin D. Johnston Papers, SCDAH.

labor supporters successfully steered through the treacherous waters of the General Assembly, but even it emerged so badly battered that it provided industrial workers with little protection.[3]

In January 1935, when Johnston took office, South Carolina was one of only four states without a workman's compensation law.[4] Before this date, the principle of employer's liability covered workers' injury claims. Under this system, the law assumed that the laborer accepted the risks of employment and gave him the right to sue and collect damages in the event of management's negligence. When an accident occurred, a laborer first had to secure the services of a lawyer, typically one like, the young Olin Johnston, who had built his Spartanburg practice on the foundation of such cases.[5] But no jurist, however clever or cunning, could speed a case through the judicial system or guarantee a large, or even equitable, payment. Occasionally after months of litigation, the injured operative acquired a tidy settlement, a chunk of which went into his attorney's pocket; yet more often he received nothing at all, and was left penniless and unable to work.[6]

Because of the capriciousness of employers' liability, workman's compensation had long stood atop labor and capital's legislative agendas.[7] Business leaders, for their part, opined that the old system discouraged new industries from locating in the state. On the other hand, labor wanted relief from the uncertainties of juries and court room delays. Nonetheless, the "lawyer-dominated" General Assembly, particularly the Senate, stymied repeated efforts to pass a compensation act. When the bill finally did garner a majority in both houses, it did so only after five total revisions. Following these many rounds of negotiations, the law still bore the distinct imprint of management's hand.[8]

Approved on May 24, 1935, South Carolina's first workman's compensation act was riddled with exemptions and marred by skimpy payments. To begin with, the intricate law, which filled thirty-seven pages of the statute book, excused the timber concerns, rock quarries, steam laundries, sand mines, and all other firms employing less than fifteen laborers.[9] Moreover, it stipulated compensation payments well under the national average and slightly below regional standards.[10] The total amount to be paid to a permanently disabled worker could not exceed five thousand dollars. In cases of partial or temporary disability, employers would be required to provide half of the employee's average weekly wage up to $2,500 with a minimum of $5 and a maximum of $18 per week. Periods of time during which salary payments had to be met were listed in detail: thirty weeks, for

[3] Anthony B. Miller, "Palmetto Politician: The Early Political Career of Olin D. Johnston, 1896-1945," (Ph.D. dissertation, University of North Carolina at Chapel Hill, 1976), p. 148; Proceedings of the Third Southern Regional Labor Conference, 1936, pp. 3-5, Box 41, Folder: Labor Convention, Olin D. Johnston Papers, SCDAH; The *State*, May 22, 1935.

[4] The other states without a compensation law were Arkansas, Mississippi, and Florida.

[5] William Hays Simpson, *Workman's Compensation in South Carolina*, (Charlotte, NC, 1949): 23-25.

[6] On employer's liability see Miller, p. 147, Simpson, pp. 29-30; and "South Carolina Should Adopt Accident Compensation," a handbill produced by the American Association for Labor Legislation attached to a letter from John B. Andrews to Johnston, March 35, 1935, Box 62, Olin D. Johnston Papers, SCDAH.

[7] For information on previous attempts to pass workman's compensation legislation refer to David Carlton, *Mill and Town in South Carolina, 1880-1920*, (Baton Rouge, 1982): p. 241; Richard Burts, *Richard Irvine Manning and the Progressive Movement in South Carolina*, (Columbia, 1974), p. 116; and Simpson, pp. 28-37.

[8] Miller, p. 147; The *State*, May 23, 1935; and the Anderson *Independent*, May 11, 1935.

[9] South Carolina Acts of 1936, pp. 1231-1268, SCDAH.

[10] For comparison see "Comparative Benefits Costs of Various Workman's Compensation Acts," May 1, 1935, Box 42, Folder – Industrial Commission, Olin D. Johnston Papers, SCDAH.

instance, for the loss of a big toe and ten weeks for any other toe; one hundred and twenty-five weeks for the loss of a foot and additional fifty weeks for the loss of a leg. Finally, the bill gave the governor the power to appoint a five-member Industrial Commission to administer the law and serve as judge and jury in all contested cases.[11]

Johnston allowed the workman's compensation bill to sit on his desk for two months before he signed it into law. During this time, he received a stream of letters. While business leaders pressed for the governor's signature on the act, labor groups quarrelled among themselves.[12] "Knowing that you came from the ranks of labor," wrote a Charleston trade unionist, "we . . . ask you to use your full veto power to prevent this . . . law, we believe it will only serve to help big business and cause . . . greater suffering to the working man."[13] A state AFL official added his voice to the chorus of detractors. "Entirely too many workers do not come under its provisions," he protested. Another opponent dubbed the proposed law a "nonsuit bill" designed to aid lax employers and grubby insurance companies.[14] Not everyone within the Palmetto State labor movement, however, opposed the bill. Textile union locals from Clinton and Newberry, for instance, wired telegrams of unanimous support to the governor. Others were more guarded in their approval. "Just a few lines to let you know that all of the people are wanting you to sign the Workman's Compensation Bill," one millhand instructed Johnston, "We realize that it is not a perfect bill. But it beats what we have got. An [sic] we can have amendments put to it later." Johnston listened to this advice.[15]

The governor received another pile of mail after the General Assembly's approval of the bill. Apparently, the depression turned a large number of South Carolinians into office-seekers. Representatives from every corner of the state, and every trade group and occupational association hounded Johnston for an appointment on the Industrial Commission. Those not looking for a post for themselves recommended a friend or colleague. When the governor whittled down his list, he selected a commission of two business leaders, two labor spokesmen, and an insurance man. Industry representatives, who had feared that Johnston would stack the commission with trade unionists, applauded his restraint and his choices.[16]

On July 17, surrounded by labor leaders and his nominees to the Industrial Commission, Johnston signed the Workman's Compensation Bill into law. Conceding that it was not a "prefect piece of legislation" and that compensation rates were too low, the mill-boy governor, nonetheless boldly predicted, "the workers will receive full justice in every instance . . . [and] . . . fair play and fair dealing from the Industrial Commission."

The head of the State Federation of Labor gushed: "This a great day for labor in South

[11] Spartanburg *Herald*, May 22, 1935.

[12] See examples of business support for the proposed legislation in Box 44, Folder: Workman's Compensation, Olin D. Johnston Papers, SCDAH.

[13] P.D. & P of America, Charleston Local 704 to Johnston, May 21, 1935, Box 44, Folder: Workman's Compensation, Olin D. Johnston Papers, SCDAH.

[14] Miller, p. 149; Simpson, pp. 38-39; The *State*, May 19, and May 23, 1935; and Spartanburg *Herald*, May 23, 1935.

[15] Local 1834 - Clifton to Johnston, May 29, 1935; Local 2118 - Newberry to Johnston, n.d.; and J.B. Rhinhart to Johnston, May 29, 1935 Box 44, Folder: Workman's Compensation, Olin D. Johnston Papers, SCDAH.

[16] Miller, p. 149; and *The State*, July 18, 1935. The members of the commission were John Dukes, Coleman C. Martin, I.L. Hyatt, John W. Duncan, and P.M. Camak. The first two represented business interests, the second two labor, and last the insurance industry.

Carolina."[17]

Beginning almost the morning after Johnston signed the bill, laborers flooded his office with complaints. Of course, those not protected by the law grumbled, while those under its umbrella griped about the scale of payments. Although lawmakers maintained that half was better than nothing, most laborers knew that half of already paltry wages spelled hunger for themselves and their families. Still others felt trapped in the webs of the law and a few seethed as they watched firms slip through loopholes and dodge the Industrial Commission. Essentially, working-people lambasted the workman's compensation law because it failed to provide them with what they expected of such legislation -- just restitution and equal treatment under the law.[18]

Paul Murdaugh, for example, suffered a leg injury while working for the Robert Lee Construction Company. He made a claim for compensation and won an award of "temporary total disability" to be paid over six months. In addition, he received full reimbursement for hospital expenses and $500 for "permanent body dis-figurement on account of the alleged 1 1/4" shortening of his left leg." Murdaugh disputed the decision and petitioned for full disability. He was rebuffed. An investigation by the Industrial Commission discovered: "Murdaugh's leg was from 1/2 to 1" short before the accident reduced it -- thus the accident reduced his leg by only 10%, which does not constitute a permanent disability." Nor did the injury, the report continued, render the "appearance of the claimant obnoxious or repulsive in the eyes of his fellow man." Explaining that he limped badly and suffered acute pain, Murdaugh appealed to Johnston for help. The Governor replied with a form-letter.[19]

A. B. Styles also voiced his anger over the workman's compensation law to the Governor. A long-time textile employee, Styles was hurt on New Years Day 1937 at the Franklin Mills in Greer. He received compensation, and after several months rest, recovered from his injury. Eager to return to work and again earn his full salary, Styles applied with his former company, but the management refused to re-hire him. "I would like very much to no [sic] the man that got up such a law," he wrote to Johnston, "I would like to punch him on the nose." He concluded his correspondence by urging the state's chief executive to amend the law in order to remove it from the mill owners' clutches.[20]

Others were harsher in their attacks on the law. Mrs. G. S. Price of Calhoun Falls told the governor she lost her livelihood, her right to compensation, and her womanhood "on account of falsehoods sworn by eye witnesses" to the Industrial Commission in order to save their jobs. "I'm not through talking about it, because I'm not through suffering," she explained in a letter to Johnston. "Because you dont enforce justice with it," she continued, "your workman's compensation isnt worth a flap." Price did not blame the Governor, whom she deemed to be a "just and honest" man, for the defects. Instead, she maintained that the "big mistake" occurred when Johnston "signed it out your hands to the authority of some one that wasn't quite as interested in the working folks as you

[17] *The State*, July 18, 1935; and Spartanburg *Herald*, July 18, 1935.

[18] For example see D.L. Goodnaught to Johnston, February 17, 1936, Box 16, Johnston Papers, SCDAH.

[19] Paul Murdaugh v. Robert Lee Construction Co., Case No. 1428, December 12, 1937, Box 42, Folder: Industrial Commission, Olin D. Johnston Papers, SCDAH.

[20] A.B. Styles to Johnston, December 12, 1937, Box 12, Olin D. Johnston Papers, SCDAH.

were."[21]

"Is the mill Co. greater than the government?"[22] This and similar questions hung on the lips of Palmetto State laborers, who had been, during the 1930s, galvanized into political activity by conceptions of themselves as equal citizens. Many believed that the workman's compensation law had been drafted by their governor in order to assure them justice and fair-play. Something, they reasoned, went askew. They complained that all too often the law operated not for their benefit, but in the interests of management and existing power structures. Their grievances reached the governor's office. In 1937, Johnston and his labor allies sought to amend the act. The Governor called on the General Assembly to "change this law so it will . . . protect the interests of working people." The State Senate blocked the many of the proposed alterations, and a year later members of both houses tried, unsuccessfully, to repeal the Workman's Compensation Act altogether.[23]

For Johnston, ominous political signals accompanied the rejection of his amendments to the workmen's compensation act and they came from some unlikely places. Indeed, some laborers began to waver in their electoral allegiance to the mill-boy governor. A Graniteville textile operative challenged the chief executive: "Your haven't backed any thing you said in your campaign, you said you was for labor." After a survey of the local political landscape, Marvin Reese -- a magistrate and Johnston lieutenant from Greer -- discovered similar sentiments. "Outside of the bosses," he reported, "I must say that . . . [the workman's compensation bill] . . . is hated by practically 100 percent." Moreover, he informed Johnston that his support was slipping because of the measure. "This law will hurt you in this section of the State," he predicted.[24] It is unclear if Reese's forecast proved true, yet during his failed bid to win election to the United States Senate in 1938, Johnston did lose in the counties surrounding Greer and several other densely working-class districts to his opponent "Cotton" Ed Smith. Perhaps, the frustrations that laborers associated with the workman's compensation law turned some away from political mobilization as the main avenue of redress for their economic and social grievances.[25]

Whatever the electoral impact, Palmetto State laborers learned a harsh lesson from the administration of the Workman's Compensation Law. They were taught that their votes were not enough. In 1934, South Carolina workers carried one of their own to the Governor's mansion. Once in office, Johnston demonstrated a willingness to stretch the law in order to aid labor, yet at the end of his four-year term, the balance of state power remained tilted towards capital. To be sure, armed with the ballot, workers had the strength to occasionally pressure legislators into mitigating the harshest aspects of

[21] Mrs. G. S. Prince to Johnston, March 10, 1937, Box 12, Olin D. Johnston Papers, SCDAH. See also Price to Johnston, September 14, 1936 and December 28, 1936, Box 43, Johnston Papers, SCDAH.

[22] Mrs. Hallman to Eleanor Roosevelt, January 1, 1934, National Recovery Administration Records, RG4, 398, Graniteville, National Archives.

[23] Statement by the Governor, n.d., Box 10, and "The Governor's Annual Message, 1936," n.d., Box 44, Olin D. Johnston Papers, SCDAH; Carpenter, pp. 138-139; Greenville *News*, January 15, 1937; and Earle R. Britton, "Progress in the Palmetto State," *American Federationist*, 54 (October 1947): 30-32.

[24] F. E. Baughman to Johnston, September 9, 1938, Box 7, and Marvin R. Reese to Johnston, December 17, 1937, Box 12, Olin D. Johnston Papers, SCDAH.

[25] For election returns and a comparison of Johnston's 1934 and 1938 showings see Carpenter, pp. 103, 398. Also Frank E. Jordon, *The Primary State: A History of the Democratic Party in South Carolina, 1896-1962*, (Columbia: 1962): pp. 40-41, 74-75.

industrial life, but in the end, they lacked the muscle to enforce their interpretation of the laws. This was a lesson that South Carolina workers would learn over and over again during the 1930s. [26]

[26] David Carlton, "The State and the Worker in the South: A Lesson From South Carolina," (unpublished paper, 1988), in this author's possession; and Leon Fink, "Labor, Liberty, and the Law: Trade Unionism and the Problem of the American Constitutional Order," *Journal of American History* 74 (December 1987): 906.

BETWEEN CAMDEN AND NINETY SIX: MOTTE AND GRANBY -- TWO SMALL LINKS IN A VERY LARGE CHAIN

James A. Lee
Lugoff-Elgin High School

On April 6, 1781 General Nathanael Greene ended his pursuit of the British General Cornwallis--a pursuit which had taken armies through many battles, including Cowpens in South Carolina and which culminated in the empty British victory at Guilford Courthouse, North Carolina. Following that battle, both generals made extremely significant decisions in the context of future events. Cornwallis decided to leave the Carolinas and move into Virginia, where in September he met General George Washington at Yorktown. Greene decided to leave North Carolina as well, but in the opposite direction. He planned to move south (as secretly as possible) and take British-held Camden and a string of outposts from Georgetown to Augusta serving as supply posts between Charleston, Camden, and Ninety Six.

When Greene reached Camden, he met Lord Rawdon in the Battle of Hobkirk's Hill. As at Guilford Courthouse, the British took the day and again the British victory was empty because of virtually equal casualties and the ensuing movements by Generals Greene, Henry Lee, Francis Marion, and Thomas Sumter. Having already lost Fort Watson on the Santee River, Rawdon was forced to evacuate Camden and turn to a defensive plan in hopes of holding the outposts of Forts Motte and Granby.

Fort Motte sat on a high hill overlooking the Congaree River to the north just a short distance from the convergence of the river with the Wateree where the Santee is formed. The site is today in a secluded, rural area in Calhoun County, South Carolina, marked by a small granite monument not even visible from the nearby county road. In the early days of May 1781, this area became the focus of the American Revolution.

The fort, commanded by Captain Donald McPherson, was built around the mansion of the widowed Rebecca Motte. The house was surrounded by a large trench. Inside it was a large parapet encircled by an abatis. The post was obviously well fortified. The garrison posted at Motte included 150 men. Fort Motte, like Fort Watson, served the British as a communication and supply depot between Charleston, Camden, and Ninety Six.[1]

[1]Robert D. Bass, *Swamp Fox:The Life and Campaigns of General Francis Marion*, (South Carolina: Sandlapper Press, Inc., 1972), pp. 187-189.

After Greene had forced the evacuation of Camden at Hobkirk's and the siege of Fort Watson by Marion and Lee, taking Fort Motte became the next American objective. Francis Marion and Henry Lee arrived at Motte by May 6. Lee had posted his cavalry and infantry in a small cabin which, in days of peace, served as slave quarters just north of the mansion. Marion had entrenched his militia on the eastern slope to the right of the mansion. Marion had in his militia 150 men and one six-pounder field piece, as well as Lee's Legion. The fort was completely invested on the 9th. Lee's men were able to advance to within 400 yards of the fort under the cover of the valley between the mansion and the cabin.

During the day of the 10th, while the militia and continentals were digging trenches, Marion became involved in a dispute with General Greene over dragoon horses. In one exchange, Marion threatened to resign (a tactic commonly used by both Marion and Sumter). By the end of the 10th, the trenches had been dug to a point that allowed the American officers to summon Captain McPherson to surrender. The fort was completely surrounded and there was no escape for the British without a hard battle. Lee says in his memoirs:

> A flag was accordingly dispatched to Captain McPherson, stating to him with truth our relative situation, and admonishing him to avoid the disagreeable consequences of an arrogant temerity. To this the captain replied, that, disregarding consequences, he should resist to the last moment.[2]

That evening, the Americans had received word of Rawdon's retreat and intended reinforcement from an intercepted messenger. After confirmation came from Greene, Lee and Marion pressed the operations through the night which were completed by morning.[3] On that day, May 11, Rawdon reached the region known as the High Hills of the Santee. After holding out through the day, McPherson's men were reinvigorated when they could see the lights from Rawdon's campfires on the high ground across the river from Fort Motte.

Marion and Lee were forced to resort to a more severe method by which they could expedite McPherson's surrender.[4] The American officers agreed that the mansion would have to be burned. Because there was no extra space within the fortress, the British would be forced into capitulation. In his memoirs, Lee explains in great length how distressing this decision was to him because of the hospitality and patriotism shown by Rebecca Motte during the siege, as well as the entire war. Mrs. Motte, having been removed from the mansion when the British took control of her home, had moved to the cabin in which Lee's forces had been posted. Therefore, Lee took upon himself the responsibility of informing her of their decision. Lee recalled the occasion as follows:

[2]Henry (Light Horse Harry) Lee, *The American Revolution in the South*, (New York: Arno Press, 1969), pp. 345-346.
[3]*Ibid.*, p. 347.
[4]William Dobein James, *A Sketch of the Life of Brigadier General Francis Marion*, (Georgia: Continental Book Company, 1948), pp. 120-121.

> Taking the first opportunity which offered, the next morning, Lieutenant-Colonel Lee imparted to Mrs. Motte the intended measure; lamenting the sad necessity, and assuring her of the deep regret which the unavoidable act excited in his and every breast.
>
> With a smile of complacency this exemplary lady listened to the embarrassed officer, and gave instant relief to his agitated feelings, by declaring, that she was gratified with the opportunity of contributing to the good of her country, and that she Rebecca Motte extended her hospitality to the officers of both sides. Together, the British and American officers, according to Lee, "partook . . . of a sumptuous dinner; soothing in the sweets of social intercourse the ire of which the preceding conflict had engendered."[5]

Following this campaign on May 12, Marion and Lee received their orders from General Greene. Francis Marion was instructed to move toward Georgetown with that British post as his objective. Lee was given separate orders. He was sent to besiege Fort Granby on the Congaree at a location near where the City of Cayce stands today. Both of these actions would result in British losses, but Lee's victory at Granby would prove to cause some of the worst feelings among American soldiers of nearly any event of the war.

After Guilford, Greene had made the chain of posts in South Carolina his long-term objective. On May 12, Greene saw himself well on the way to accomplishing this feat. Fort Watson had been taken, he had forced the evacuation of Camden, and Fort Motte had surrendered. On May 11, the day before the capitulation at Motte, Thomas Sumter had very easily taken the post at Orangeburg and its garrison of 80 men. Sumter's move to Orangeburg seems to be somewhat disputed as to whose initiative it reflected. Bass says that Sumter was involved in a campaign that he had designed back at the time of his recuperation from injuries sustained at the Blackstocks battle. The plan, designed on February 16, 1781 was similar to that of Greene's except for the fact that Sumter was going to avoid Camden and begin with Granby. The Gamecock planned to capture Granby, seizing the supplies and stores which had been taken by Major Maxwell from the local Whigs, and proceed against the remaining posts, eventually ending up in Georgetown. On February 17, Sumter was at Granby. He soon realized that the post would not be easily taken and had given up siege. The Gamecock again attempted this siege in early May. He encamped on both sides of the Congaree controlling Friday's Ferry. Granby was defended by two twelve-pounders, several smaller guns, and 340 men, of whom 60 were regulars. Sumter again was unable to take the fortification. Not able to achieve an expeditious surrender, Sumter voluntarily took a small force against

[5]Lee, *American Revolution*, pp. 348-349.

Orangeburg, leaving the remainder of his force to carry on the Granby siege.[6] This is the point where the disagreement appears. Thayer says that instead of moving on his own initiative Greene ordered Sumter to move to Orangeburg.[7]

No matter whose idea the move was, Sumter's capture of Orangeburg was very untimely for his own personal reason. Having been so long involved in the siege of Granby, Sumter became highly angered when on the 13th he learned that Lee had been sent to bring to an end the standoff at Granby.

In Lee's approach to Granby, he had left Captain Armstrong and one cavalryman along the road between Fort Motte and Fort Granby to watch the movement of Colonel Rawdon who had already reached the destroyed fortifications at Motte. Lee described the fortification at Granby as follows:

> Fort Granby was erected on a plain, which extended to the southern banks of the Congaree, near Friday's Ferry. Protected on one side by that river, it was accessible in every other quarter with facility; but being completely finished, with parapet encircled by fosse and abatis, and being well garrisoned, it could not have been carried without considerable loss, except by regular approaches; and in this way would have employed the whole force of Greene for a week at least, in which period Lord Rawdon's interposition was practicable.[8]

Upon his arrival at Granby, Lee gathered information from his guides and began to erect a battery in the woods west the fort. Fortunately for the Americans, a foggy morning on the 15th gave time for the completion of this battery before it was detected by the enemy. Captain Finley had his six-pounder mounted and ready to fire as soon as the fog lifted.

It is at this juncture in his memoirs that Lee points out the unsuitability of Major Maxwell as a military officer. "He was the exact counterpart of McPherson; disposed to avoid, rather than to court, the daring scenes of war. Zealous to fill his purse, rather than to gather military laurels, he had, during his command, pursued his favorite object with considerable success, and held with him in the fort his gathered spoil."[9] Lee then said that in order to hasten the surrender of the post, he sent a letter of summons "couched in pompous terms" to Major Maxwell. The summons was delivered by Captain Eggleston, who was authorized to negotiate the terms of surrender.[10]

When the fog lifted, Captain Finley opened fire which led to confusion among the British. At the same time, the Legion infantry moved into its desired ground, severing the British pickets from the fort. Eggleston then set out with his flag which suspended the American fire. When the American assault was halted, the British pickets and

[6]Robert D. Bass, *Gamecock: The Life and Campaigns of General Thomas Sumter*, (New York: Holt, Rinehart, and Winston, 1961), pp. 172-175.
[7]Theodore Thayer, *Nathaniel Greene; Strategist of the American Revolution*, (New York, Twayne Publishers, 1960), p. 334.
[8]Lee, *American Revolution*, pp. 350-351.
[9]*Ibid.*
[10]*Ibid.*

patrols, which had been cut off, attempted to return to the fort. Lee's cavalry partially checked this movement, but Eggleston was ordered to "remonstrate with Major Maxwell upon the impropriety of the conduct of his pickets and patrols and to demand that he order them to resume their station; it being never intended by presenting him with an opportunity of avoiding useless effusion of blood, to permit the improvement of his capacity to resist." Eggleston's protest was duly honored by Maxwell. The pickets were promptly withdrawn to their original position.[11]

The negotiations were then able to begin. Maxwell, proving to be what Lee knew of him, offered to give up the fort, but with three stipulations. Maxwell demanded: that he and his men be allowed to maintain possessions of their spoils as personal property; that the Loyalist militia should be held in the same manner as the regulars; and that they be given an escort, charged to protect people and property, back to the British army. Eggleston sent a letter to Lee listing the demands. (Since the demands were so great, Eggleston did not feel secure in granting them himself.) Major Maxwell also sent a letter to Lee requesting two wagons for the conveyance of his own baggage. Lee responded by granting all requests with the exception of all horses fit for service. Eggleston presented the response which was not well accepted by the Hessian cavalry officers. They demanded that they be able to keep their horses and Maxwell did not overrule this protest; so the capitulation was cancelled. Eggleston again deferred to Lee. About this time, according to Lee, he received word from Captain Armstrong, who was watching the movements of Lord Rawdon, that Rawdon was moving on Fort Motte. Lee claims that this drastically changed his response to the Hessian demand. He ordered Eggleston to accept all demands. The surrender was then signed and the fort was occupied by Captain Rudolph and a detachment of Legion infantry. By noon, Maxwell had removed his garrison and all possessions.[12]

The American victories at Forts Watson, Motte, Orangeburg, and Granby, and subsequent victories at Georgetown and Augusta, struck a blow to the British unlike any other since Saratoga or until Yorktown. The stalemate at Camden resulted in the British being put on the defensive for the first time since their regimentation of South Carolina. Besides Cornwallis' decision to leave the Carolinas, the one factor which contributed to this series of American victories was the inability of the British to maintain effective communications throughout South Carolina. This can be attributed to the efforts of both Sumter and Marion in intercepting couriers. Two examples which support this statement are: first, the interception of Cornwallis' message to Rawdon in Camden telling of Greene's advance, which caught Rawdon without the support of the brigade from Fort Watson; second, the interception of Rawdon's orders to the various post commanders to evacuate and retire to the southern half of the state, which allowed the American forces to seize upon unsuspecting garrisons. The outposts were, thereby, taken much more easily.

Many historians credit Washington's victory at Yorktown as being singularly responsible for the British defeat in America. It is true that this victory did give the

[11] *Ibid.*
[12] *Ibid.*

Americans the advantage, leaving the British only controlling the northern states with their base at New York City. If, however, the British had still controlled the south at the time of Yorktown, the Americans would still have been in an inferior position to the British. Therefore, the takeover of the British outposts in South Carolina, giving the Americans control of every part of that state except for Charleston, won for them the southern theatre of the American Revolution.

SIR HENRY HUGHES WILSON: A STUDY OF THE EFFECT OF THE INDIVIDUAL ON FOREIGN POLICY

Richard C. Schellhammer
University of South Carolina

In July 1903 Henry Hughes Wilson wrote: "I have for many years advocated friendship with the French as against the Germans because in my opinion there is no legitimate cause to quarrel with the French . . . whereas the Germans, who have an increasing population and no political morals, mean expansion and therefore aggression."[1] For the next eleven years, Wilson pursued, in his own way, a policy of aiding the French--a policy not always consistent with that of the British government.

Throughout his career, first as Commandant of the Staff College and then as Director of Military Operations (DMO), Henry Hughes Wilson consistently gave assurances to the French that the British would come to their aid in the event of war with Germany. Thus, the creation by Wilson of a moral obligation for the British to support the French is the traditional interpretation of his importance before the First World War and an implication that Wilson's influence was in Britain.[2] This, however, ignores certain key bits of evidence that clearly demonstrate that Wilson had far more influence in France than he had within the British command structure. The evidence includes his early contacts with the French military leaders; his personal powerlessness in the British command structure; and the belief among the French that Wilson was representing his government in an official capacity.

Wilson had the right and the duty as DMO to make contingency plans for war. Indeed, this was his purpose as DMO. The distinction, however, must be made between contingency plans and assurances of military action to the representatives of a foreign power. Wilson's assurances to the French, which only the British government could give, went far beyond the limits of his authority.

Wilson began his contacts with the French as early as December 1909 when, while Commandant of the British Staff College, he initiated talks on joint strategy with his opposite number in France, Ferdinand Foch, Commandant of the Ecole Supérieure de

[1]Barbara Tuchman, *The Guns of August*, (NY: Bantam Books, 1980), p. 68; Basil Collier, *Brasshat: A Biography of Field-Marshal Sir Henry Wilson*, (London: Secker & Warburg, 1961), p. 85 (italics in the original).

[2]Major-General Sir C.E. Callwell, *Field-Marshal Sir Henry Wilson Bart.. G.C.B., D.S.O.: His Life and Diaries.* Volume I. (NY Charles Scribner's Sons, 1927), pp.73, 90, 108; Sir Andrew MacPhail, *Three Persons*, (London: John Murray, 1929), pp. 78-9.

Guerre. On another visit on 14 January 1910 to the Ecole Supérieure, Wilson recorded in his diary that ". . . we talked at great length of our combined action in Belgium. Most interesting."[3] The British government would have been "most interested" to find out that it was being committed to a military action by the Commandant of the Staff College to which they, the elected representatives of the British people, were not privy.[4] These talks are the genesis of the formation of French war plans based on the promised support of the British in the person of Wilson. Thus, as early as January 1910, the French military were committing themselves and their country to certain actions based on the supposed support of the British[5]--a support that was in fact not originating from the British government.

Indeed, Wilson was so enthusiastic about Anglo-French co-operation that on 8 June 1910 he was able to assert: "General Foch . . . [is] going to command the Allied armies when the big war comes on."[6]

In August 1910 Wilson was appointed Director of Military Operations in the Imperial General Staff. Now that he was DMO, he was finally in the position to carry out talks with the French in an official capacity--and in a much more concrete manner than his predecessors. Joint Anglo-French talks were originally started after the First Moroccan Crisis in January 1906 under the Liberal Government but had languished under Wilson's predecessors. Wilson, however, put them on a much higher plane.[7]

Before the year was out, after being DMO for less than three months, Wilson had reached an agreement with the French on the necessity of a close working alliance of their respective forces in combat. On 13 October 1910 Wilson met with Foch in Paris and had a long conversation during which Foch stated: ". . . that, in the coming war in Belgium, France must trust to England and not Russia, and that all our plans must be worked out in minutest detail so that we may be quite clear of the action and the line

[3]Callwell, p. 78, H.H.W.

[4]Although Wilson worked, on his own, to make the French believe the Entente Cordiale was a solid alliance, Herbert Asquith, the Prime Minister at the time, could later assert: "The Entente, I repeat, was never converted into an Alliance. While working cordially with France and Russia to secure the international equilibrium, we kept ourselves free to decide, when the occasion arose, whether we should or should not go to war. This was reapeatedly stated in the House of Commons both by Sir E[dward] Grey and myself." Oxford and Asquith, Herbert Henry Asquith, First Earl of. *The Genesis of the War*, (NY: George H. Doran Co., 1923), p. 99. Further, in the House of Commons, Asquith constantly asserted that there existed no formal bondage of either British military or naval forces to France. For example, in the House of Commons, on 24 March 1913, Sir William Byles asked Asquith: ". . .whether he will say if this country is under any, and, if so, what, obligation to France to send an armed force in certain contingencies to operate in Europe; and if so, what are the limits of our agreements, whether by assurance or treaty with the French nation?" Following up on this question, another Member of Parliament, King, inquired: ". . . whether the foreign policy of this country is at the present time unhampered by any treaties, agreements, or obligations under which British military forces would, in certain eventualities, be called upon to be landed on the continent and join there in military operations. . . ." With perfect aplomb, Asquith was able to answer: "As has been repeatedly stated, this country is not under any obligation not public and known to Parliament which compels it to take part in any war. In other words, if war arises between European Powers there are no unpublished agreements which will restrict or hamper the freedom of the Government or of Parliament to decide whether or not Great Britain should participate in a war . . ." *The Parliamentary Debates (Official Report). Fifth Series--Volume L. Third Session of the Thirtieth Parliament of the United Kingdom of Great Britain & Ireland. 3 George V. House of Commons.* (London: His Majesty's Stationary Office, 1913), pp. 1316-1317. this, however, was not what the French military command, with whom Wilson dealt, was made to believe.

[5]John C. Cairns argues that in France, before the First World War, the military had a strong influence on the rest of the government structure and the decision making process in France, although, one cannot easily quantify this influence. John C. Cairns, "International Politics and the Military Mind: The Case of the French Republic, 1911-1914", *Journal of Modern History*, (September 1953) 25: 284-5.

[6]Callwell, p. 80.

[7]Colonel Huguet, French Military Attaché, asked Wilson if he considered these talks important, to which Wilson exclaimed: "Important? But it is vital! There is no other!" Callwell, p. 89; collier, pp. 94, 111.

to take." Wilson makes it clear in his diary that he was in full agreement with these sentiments of close co-operation.[8] Once again, Foch demonstrated that the French considered British participation in what became Plan XVII an absolute certainty. French military planners counted on the BEF forming on their left flank with six infantry divisions. Indeed, General Auguste Dubail, Chief of Staff to the War Ministry, reflecting the beliefs of the French military command, told the Russians in August 1911 that the French already planned on "'the aid of the English army on its left wing.'"[9] Failure to do so would cause a catastrophe.

The Director of Military Operations was supposed to be the most important position in the General Staff next to the Chief of the Imperial General Staff (CIGS) and should have made Wilson ". . . the most influential soldier in the country."[10] However, Wilson's influence in the Committee of Imperial Defence (CID) was minimal.

On 23 August 1911, a special CID meeting was called among certain members of the Cabinet and the CID to discuss, and decide between, the army plan and the navy plan of action in a possible continental war. This meeting of the CID is often presented by Wilson's biographers as a high-water mark of his influence on the Committee. His biographers accept his assertion that he skilfully and deftly convinced those present that the army plan of action was vastly superior to that of the navy.[11] However, based on the transcript of this meeting, Wilson spoke infrequently and, except for a brief presentation of his plan, usually spoke only when answering a question. Many of the politicians, particularly Prime Minister Herbert Asquith and First Lord of the Admiralty Winston Churchill, appear to have arrived at the meeting already convinced of the superiority of the army's plan for a continental war as opposed to that of the navy. Further, when the navy expressed its doubts about the army's plan during the presentation of its plan of campaign in the afternoon session, Wilson spoke only twice in six pages of transcript.[12]

Wilson's involvement at CID meetings is characterized by his silence which calls attention to his powerlessness in the British command structure. He became DMO in August 1910 and began attending CID meetings on the 108th meeting, 26 January 1911;[13] however, he did not speak even once until the 114th meeting on 23 August 1911. Though many of the topics discussed were of a technical or legal nature or outside his purview, this was not the case for the 113th meeting.[14] This was the last day of a three-day Imperial Conference, and the discussion, in part, revolved around Dominion contributions to the Staff College, a subject with which Wilson was familiar after serving as Commandant of the Staff College for three years. Secretary for War Richard Haldane did the talking, however, not Wilson. Wilson continued to be silent from the 115th

[8]Callwell, p. 88, H.H.W.

[9]S. R. Williamson, "Joffre Reshapes French Strategy, 1911-1913", Paul M. Kennedy, ed., *The War Plans of the Great Powers, 1880-1914* (Boston: Allen & Unwin, 1985), pp. 146, 135. For his part, even "Foch tended to overemphasize the preponderance of the British role in French military thought. . . ." Cairns, p. 175.

[10]Collier, p. 109.

[11]See for example, Bernard Ash, *The Lost Dictator: A Biography of Field-Marshal Sir Henry Wilson Bart., GCB. DSO, MP,* (London: Cassell, 1968), p. 88; and Callwell, pp. 99-100.

[12]Once he spoke to say on what day of mobilization the army planned to embark and once to say that five divisions would be as good as six (with the remaining division to stay home to protect against raids as the navy had insisted). 114th CID Meeting, 23 August 1911, (CAB 38/19, 1911, No. 49) passim.

[13](CAB 38/17, 1911, No. 5).

[14](CAB 38/18, 1911, No. 42).

meeting on 14 December 1911[15] to the 123rd meeting on 11 April 1913.[16] Again, this is rather amazing given the nature of some of the topics. For example, during the 116th meeting,[17] part of the discussion revolved around effects a neutral Belgium versus a non-neutral Belgium (friend or foe) would have on British war plans. Haldane, John French, the future CIGS, the current CIGS William Nicholson, Churchill, and Asquith spoke but not Wilson. This was of tremendous importance to the plans which he was making with the French, but, once again, he chose not to speak up but rather to keep the Government and the CID in the dark. The French, however, were kept informed by Wilson of these discussions and the concrete ramifications of these discussions--namely, a request by the British to the Belgians that they fortify Liège.[18] Wilson was not even present at the 122nd meeting on 6 February 1913.[19] He spoke once at the 124th meeting on 5 August 1913[20] to say that troops had been allotted to defend St. Helena's in time of war. He returned to his reticence during the 125th meeting on 3 March 1914.[21] During the 126th meeting on 14 May 1914[22] he spoke frequently, but apparently only because the CIGS could not be present and Wilson was basically delivering messages. He was again reticent at the 127th meeting on 21 May 1914.[23] However, he perked up enough at the next meeting on 14 July 1914[24] to comment on the size of the garrison at St. Helena's.

Wilson's importance and influence on the CID is also debatable based on the fact that he never served on any of the Standing Sub-Committees of the CID. Once again, many of these committees were of a technical or legal nature, or concerned with areas like Hong Kong or Egypt. However, some were of crucial importance to the effective and efficient dispatch of the BEF and Wilson's other concomitant plans. During his tenure as DMO, three Standing Sub-Committees were formed or planned of which Wilson should have been a member based on his position as DMO, but was not.[25] Perhaps he was deliberately excluded from these sub-committees. On two of these committees, the CIGS, French, was assisted, not by the DMO, but by Brigadier General David Henderson, Director of Military Training.[26] Thus, Wilson's influence and prestige on the CID must be questioned. Since he did not influence British war plans directly through the

[15](CAB 38/19, 1911, No. 58).
[16](CAB 38/24, 1913, No. 19).
[17](CAB 38/20, 1912, No. 9).
[18]Joffre was able to use this information, which he clearly stated Wilson provided, to pressure the French government to make similar "representations". Joseph Jaques Cesaire Joffre, *The Personal Memoirs of Joffre: Field Marshal of the French Army*, trans.: Col. T. Bentley Mott, (NY: Harper & Brothers Publishers, 1932), vol. 1, p. 41.
[19](CAB 38/23, 1913, No. 9).
[20](CAB 38/24, 1913, No. 33).
[21](CAB 38/26, 1914, No. 11).
[22](CAB 38/27, 1914, No. 23).
[23](CAB 38/27, 1914, No. 25).
[24](CAB 38/28, 1914, No. 35).
[25]He was not a member of the "Sub-Committee of the Committee of Imperial Defence assembled to formulate Questons connected with the Naval and Military Defence of the Empore to be discussed at the Imperial Conference, 1911" (CAB 38/17, 1911, No. 13). Based on his own assertions in his diaries, Wilson had a running debate with the navy on the best means of waging a Continental war. He chose, however, to avoid an opportunity to wrangle against the navy's aspirations and plans. Or perhaps he was deliberately excluded. Another sub-committee on which he should have served was the "Standing Sub-Committee of the Committee of Imperial Defence: Attack on the British Isles from Overseas", initiated on 13, January 1913 (CAB 38/26, 1914, No. 13). He should have been there to prevent the Admiralty from taking away two of his six divisions to be used for Home Defence. He knew that they desired this, but he did not serve on this committee where he could directly thwart their endeavors.
[26]A planned committee, "Coastal Defences of the United Kingdom and the Question of a Coast Watch" (CAB 38/27, 1914, No. 19) proposed on 16 December 1913 by the CIGS, members of the Admiralty, and the Secretary of State for War, Seely, excluded Wilson, once again, in favor of the Director of Military Training.

CID, his most important influence was on the other side of the Channel, where he was able to convince the French of British support.

The final argument of this paper is that the leaders of the French military apparently believed that Wilson was representing the British Government in an official capacity and made war plans based on his commitments and assurances. In addition to those instances mentioned before, other evidence exists for this assertion. Joffre was able to note just after the Second Moroccan Crisis:

> This grave crisis had at least one fortune to result for France, for the Entente Cordiale emerged from it all the stronger. General Wilson came across the Channel to work with us and make the arrangements for disembarking, in case of necessity, a British Expeditionary Corps. He was one of the earliest and best architects of Franco-British co-operation.[27]

Joffre was probably unaware that Wilson did not have the full backing of the government to make such concrete plans.

Completion of the so-called Dubail-Wilson Agreement demonstrates further that the French military command believed Wilson was representing the British Government in an official capacity. On 20 July 1911 Wilson and Chief of Staff to the War Ministry General Auguste Dubail completed an agreement that committed the British to dispatch elements of the BEF to Le Havre, Boulogne-sur-Mer, and Rouen in the event that Britain declared war against Germany.[28] Thus, the French would continue to make their war plans based now on this supposedly firm commitment of the British.[29]

On 29 September 1911 Wilson met with the French General Staff and wrote of the encounter:

> They were most cordial and open. They showed me papers and maps . . . showing the concentration areas of their northern armies . . . [and] showing in detail the area of concentration for all our Expeditionary Force. . . . By 12:30 I was in possession of the whole of their plan of campaign for their northern armies, and also for ours.[30]

Wilson blandly accepted the role which the French assigned to him and to his nation's army and gave his country's assurance of compliance. Unfortunately, the French apparently did not know that he was not in a position to offer these assurances.

By February 1912 General Joffre, Chief of the French General Staff, believed

[27]Joffre, vol. 1, p. 15.

[28]Tuchman, p, 69.

[29]Joffre, for his part, was able to inform General Nostitz, the Russian military attaché at about the same time: "All the arrangements for the English landing are made down to the smallest detail, so that the English army can take part in the first big battle." Quoted in L.C.F. Turner, "The Russian Mobilisation in 1914", Paul M. Kennedy, ed., *The War Plans of the Great Powers, 1880-1914* (Boston: Allen & Unwin, 1985).

[30]Callwell, p. 104, H.H.W.

that the joint Anglo-French plans had reached such a point that he could fully count on six infantry divisions, one cavalry division, and two mounted brigades, all of which was code-named "*L'armée W*" in honor of Wilson.[31]

Wilson's actions during the crucial few days before Britain's declaration of war provide a final analysis of the impact of the individual on foreign policy. On 6 May 1914 Wilson, still only the DMO, saw fit, on his own volition, to inform the French that Asquith had decided to send elements of the BEF to France in the event that Britain went to war against Germany. Further, Wilson told the French that the British would assume their position, as pre-planned, on the left flank of the French army--an important point that Asquith had not expresssed. This pre-ordained assurance of support was rather rudely thrust upon Sir John French, commander of the BEF, and Sir Douglas Haig, commander of the First Corps, weeks later when they suggested a delay in the deployment of the BEF to allow time to marshall the forces of the Empire. The French command was nearly apoplectic over a possible further delay which would have rendered its Plan XVII nugatory.[32]

Wilson's own personal foreign policy led the French military command to make plans based on the support of the British--a support they believed was given by a competent member of His Majesty's Government, not a military sub-altern.

For their part, the French military leaders believed that Wilson was their most important contact in the British command structure, not only for his unflagging support, but also for his supposed influence.

On 8 October 1914 Foch conferred with Field Marshal Sir John French and his then assistant, Henry Hughes Wilson. Foch wrote in his memoirs of this encounter:

> My old friend Sir Henry Wilson . . . was with Sir John French. I told him . . . that I was convinced that the rapid and effective entry of the British Army into the war was due to the preparatory measures which he, when at the head of the British General Staff [*sic*], had made for that contingency. . . ."[33]

This is stunning proof that members of the French military leadership believed that Wilson had a major leadership role in the British command structure or government, which he in fact did not. This would explain why the French took his assurances of aid so seriously.

In conclusion, Wilson's importance in the formation of the war plans of the Entente rests with his influence on the French military leadership, not, as has been

[31]Tuchman, p. 73; Callwell, p. 151. The figures quoted are interesting. Given that Wilson had already conceded to the CID that only five divisions (possibly only four) were going to be sent, apparently the French were also being led astray by Wilson. Based on a memorandum presented in October 1910 that, as DMO, he must have helped draft, Wilson was deliberately misleading the French. In part, this memorandum suggested the distinct possibility that only four of the BEF's six infantry divisions would be sent to the Continent in the event of a war (the other two would remain in the United Kingdom for Home Defense).

[32]Callwell, pp. 147, 157, and 158.

[33]In his memoirs, Foch was to recall all his meetings with Wilson before the war, and he asserted: "[Wilson] was to prove himself one of the most active minds of the Imperial General Staff . . . one of the moving spirits of the British Army and one of the most faithful servants of the common cause." Ferdinand Foch, *The Memoirs of Marshal Foch*, trans.: Col. T. Bentley Mott, (Garden City, NY: Doubleday, Doran and Co., Inc., 1931), pp. xliii, 125.

previously asserted, in the creation of some amorphous moral obligation of the British to aid the French. The *casus belli* for the British was the German invasion of neutral Belgium. British diplomatic documents in the days before the British actually declared war on Germany clearly state that they did not feel a moral obligation to aid the French.[34] Perhaps the frenzied reaction of the French to British delay in supporting them is explicable if we consider that they had been told for years by someone, who they believed represented the British Government, that this aid was pre-ordained. Indeed, they believed it was a forgone conclusion that the BEF would join them and protect their left flank. Therefore, combined with his early and frequent contacts with the French; his lack of influence on the Committee of Imperial Defence; and the belief among the French military leadership that he was a representative of the British Government, Henry Hugh Wilson's influence was not on British war planning, but on French war planning.

[34]Relevant diplomatic messages include: "Sir Edward Grey to Sir F. Bertie, British Ambassador at Paris", British Blue Book article No. 87, 29 July 1914; "Sir Edward Grey to Sir F. Bertie, British Ambassador at Paris", British Blue Book articles No. 116, 31 July 1914 and No. 119, 31 July 1914; and "Sir Edward Grey to Sir F. Bertie, British Ambassador at Paris", British Blue Book article No. 148, 2 august 1914. James Brown Scott, ed., *Diplomatic Documents relating to the Outbreak of the European War*, part 2, (NY: Oxford University Press, 1916), pp. 948-9, 977, 980, 999-1000. Immediately after the war, Haldane could write, in an apologia, of the Entente: ". . .we had entered into no communications which bound us to do more than study conceivable possibilities in a fashion which the German General Staff would look on as a mere matter of routine for a country the shores of which lay so near to those ofFrance, but by removing all material cause of friction." Viscount Robert B. Haldane, *Before the War*, (London: Cassell and Co., Ltd., 1920), p. 104.

E. A. FREEMAN AND OPPOSITION TO VICTORIAN ANGLO-SAXONISM

John V. Crangle
Benedict College

Were the Victorian English Anglo-Saxons? The answer to this question is a resounding "no," wrote Professor E. A. Freeman[1] in a series of publications during the quarter century at the height of the controversy. From the mid-1860's until the year of his death Professor Freeman argued that the cultural influence of the Anglo-Saxons on Victorian England did not mean that the Victorian English were Anglo-Saxons in any ethnic or racial sense. Along with Grant Allen and Goldwin Smith, Freeman tried to make it clear that cultural ancestry and genetic ancestry were not the same; and, insofar as his points were accepted, he helped to discredit Anglo-Saxonism.

Freeman in the mid-1860's looked to the writings of Sir Francis Palgrave for support in arguing the ethnic mixture in English history: "We are deeply grateful to Sir Francis Palgrave for more than one energetic protest against the misleading use of the words 'Saxon' or even "Anglo-Saxon' as the proper term to oppose 'Norman'. . ." (Palgrave had said that the term "English" was correct and that "Anglo-Saxon" was incorrect in the description of the population of England at the time of the Conquest.)[2] In 1877 Freeman directed two articles against fallacious writing about ancestry and ethnic origins. In his article "Pedigrees and Pedigree Makers" he ridiculed the manufactured and far-fetched claims of many Englishmen who claimed ancestry in the army of William the Conqueror; such spurious claims "completely sapped every principle of truth" and were nothing more than "imaginary claims".[3] "Race and Language" was a more vagarious and comprehensive attack on "ethnological theory run mad".[4] "The doctrine of race", Freeman wrote, "must have taken very firm hold indeed of men's minds before it could be carried

[1] E. A. Freeman was one of the major English historians of the late Victorian era. He succeeded Bishop Stuffs as regius professor of history at Oxford University in 1884, having completed his *History of the Norman Conquest* in 1879. Robert Ensor, *England, 1870-1914* (Oxford: Clarendon Press, 1936), p. 161.

[2] E. A. Freeman, "Sir Francis Palgrave's *History of Normandy and England*," *Edinburg Review,XXI (January 1865), p. 19.*

[3] E. A. Freeman, "Pedigrees and Pedigree Makers," *Contemporary Review*, XXX (June 1877), pp. 14-15, and 41. Freeman made the point that it was usually impossible to trace pedigree to the time of the Conqueror in 1066 due to lack of source materials p. 12.

[4] E. A. Freeman, "Race and Language, *Contemporary Review*, XXIX (March 1877).

out in a shape . . . so grotesque as this".[5] In earlier times "the sentiment of race went for nothing at all", but "the new lines of scientific and historical inquiry . . . have a distinct and deep effect upon the politics of the age."[6] Ethnography had been twisted into a pseudo-science for political purposes by some writers, Freeman alleged, creating "the doctrine of race . . . an artificial doctrine, a learned doctrine" which was "distinct from the feeling of community or religions, and distinct from the feeling of nationality . . ."[7]

The fundamental fallacy of a doctrine of race, whether of the Anglo-Saxon race or some other race, Freeman contended, was that it confused environmental factors with biological heredity--language with genetics. "The popular doctrine of race," he wrote in 1877, "confounds race and language"; the truth was that "scientific philologers . . . tell us that language is no certain test or race".[8] In reality, ethnologists were supposed to be concerned with physical differences between races; linguists realized that a given language could be spoken by a multiplicity of races. "Language is not an accurately scientific test of race," Freeman warned, allowing, however, that "yet it is a rough and ready test which does for many practical purposes . . . a presumption of race".[9]

Freeman also attacked the notion of blood as identifying race: "Our whole conception of race starts from the idea of community of blood . . . yet it is certain that there can be no positive proof or real community of blood, even among . . . families and races". This inability to prove blood origins and identity knocked in the head the Anglo-Saxon theory insofar as Anglo-Saxonism had any claim to scientific validity (as distinct from its uses as a political ideology supportive of ethnocentrism and imperialism). "No living Englishman can prove with absolute certainty that he comes in the male line of any of the Teutonic settlers in Britain in the fifth and sixth centuries",[10] that is, the age of the Anglo, Saxon, and Jutish invasions of England.

Freeman argued against the use of race and in favor of culture in identifying groups of people: "We must leave off speaking of races and families at all from any but the purely physical side." Instead, he urged, "We must content ourselves with saying that certain groups of mankind have a common history, that they have languages, creeds, and institutions in common."[11] In Freeman's view, race was a biological rather than a cultural reality. Thus the identification of the English people as racially or physiologically Anglo-Saxon was an absurdity: "No existing nation is, in the physiological sense of purity, purely Celtic, Teutonic, Slavonic, or anything else." The motion of a pure Anglo-Saxon race was preposterous: "Among the great nations of the world, there is no such thing as purity of race at all. . . . All races have assimilated . . . foreign elements".[12]

[5] *Ibid.*, p. 713.
[6] *Ibid.*, p. 713.
[7] *Ibid.*, p. 717.
[8] *Ibid.*, p. 721.
[9] *Ibid.*, p. 722.
[10] *Ibid.*, p. 724.
[11] *Ibid.*, p. 725.
[12] *Ibid.*, p. 729.

If the English were not Anglo-Saxons as Dilke, Froude, Churchill, and Rosebery thought, then what were they? Freeman said, as Grant Allen would write in 1880,[13] that the English masses were a mixture of ethnic groups: "The actual forefathers of the modern Englishman may chance to have been, not true-born Angles or Saxons, but Britons, Scots, Frenchmen, Flemings, men of any other nation who learned to speak English and took English names".[14]

Yet Freeman believed that there was such a thing as "the true essence of the race or nation, something which sets its standards and determines its character."[15] Thus while seeming to push popular racial theory away from the front door, the Oxford historian appeared to smuggle it through the back door: "These races . . . Celtic, Teutonic, Slavonic races of men are real." His theory strikes one as muddled, contradictory, even mystical: "These races which, in a strictly physiological point of view, have no existence at all, have a real existence from the more practical view of history and politics".[16] Freeman seemed to be saying that those groups loosely lumped under the heading of races, i.e., European language and cultural groups, did function as socially cohesive forces in the historical process. Thus, he argued, that "within those races we find nations marked out again by . . . language." Furthermore, "the feeling which was once confined to the mere household extended itself to the tribe. . . . From the tribe or city it extended itself to the nation, from the nation it is beginning to extend itself to the whole race."[17] Thus a race consciousness had evolved in England and Europe.

If Freeman was opposed to the usage of the term "Anglo-Saxon race" to describe the population of England, he was not opposed to the use of terms identifying national and linguistic groups as progenitors of the Victorian masses. The controversy as to the proper terminology related closely to the ancient and medieval history of England even prior to the Roman invasions. Freeman was particularly active in 1870 in the controversy, reading three lectures before the Literary and Philosophical Institution at Kingston-on-Hull (3,5,7 January 1870) in which he argued that the people who lived in England before 449 A.D. were not "English". Freeman set forward a Pickwickian definition of "England" in his lectures according to which "England" was portable--prior to 449 A.D. the Isle of Britain was not "England," but the place where the ancestors of Victorian Englishmen lived in the ancient homeland of the lowlands of continental Europe was England.[18]

Freeman argued in 1870 that "the English people" of Victorian England "are Low-Dutch . . . we came from those lands where the Low-Dutch blood and the Low-Dutch speech abide to this day".[19] Admitting that his thesis "may sound strange, perhaps ludicrous," Freeman warranted that it was the "truest and most accurate name," adding that "I use it specially in order to avoid using the word German which may easily lead

[13]Professor Allen asserted that the ancestors of the English included "dark-skinned Silures, blue-stained Brigantes" as well as Celtic, Angle, Saxon, and Jute; but, in his opinion, the dominant ethnic element "preponderantly if not overwhelmingly Kymric and Gaelic". Allen, *Fortnightly Review*, XXXIV, old series (October 1880), p. 473.

[14]Freeman, *Contemporary Review*, XXIX (March 1877), p. 725.

[15]*Ibid.*, p. 730.

[16]*Ibid.*, p. 731.

[17]*Ibid.*, p. 740.

[18]E. A. Freeman, "Origins of the English Nation," *MacMillan's* XXI (March 1870), pp. 415-418.

[19]*Ibid.*, p. 419.

to misconceptions."[20] (Freeman also believed in 1870 that "there was a time . . . before the beginning of recorded history--when the forefathers of all the chief European nations . . . were all one people, speaking one language" which he believed was the Aryan language).[21]

While conceding that "physical purity of the blood . . . can never be found in the case of any nation . . . every nation had its blood more or less mingled", Freeman insisted that "in our speech, so in our blood, the Low-Dutch part of us is the essence . . . gives us our national being, our national character, our national history . . . which makes us to be Englishmen." Thus in opposition to the Anglo-Saxon racial school, Freeman offered a linguistic, but also quasi-genetic theory that "We are Low-Dutchmen who have been separated from the parent stock for thirteen hundred years. . . . We are Low-Dutch with a difference".[22] (As evidence he adduced the impression that Englishmen felt comfortable visiting Holland in his own day.)[23]

In another article published in July 1870 Freeman explicitly rejected the view that "the English are Teutonized Celts".[24] The Oxford historian argued that about 500 A.D. "there was a conquest of Britain in which the Teutonic settlers displaced the Celtic inhabitants of what was to be England."[25] (This Celtic survival theory, of course, was Grant Allen's 1880 proposition in revitalized form.)[26] Freeman also rejected the thesis, argued by Coote,[27] that Teutons lived in England long before 500 A.D., were Romanized, and survived the later Anglo-Saxon invasions as a cultural and genetic ancestor of Victorian England.[28]

Freeman's "Low-Dutch" thesis fell stillborn from the press; and in spite of his salient criticism of the Anglo-Saxon ideology as unscientific and nothing more than a racial-political myth used to provide some sort of reinforcement and justification for imperial expansion, overseas domination and colonization, the most prominent politicians of the age, including colonial secretaries and prime ministers, continued to advance the notion that the English rulers of the Empire were Anglo-Saxons. Freeman, however, was not broken by the intractable popularity of Anglo-Saxonism. Nor was he overwhelmed in a controversy with James Stephen (1820-1894), the jurist and author of a legal volume,[29] over the role of the Anglo-Saxons in the foundation of the Heptarchy, a question closely related to Freeman's efforts to discredit the thesis that the Anglo-Saxons were the dominant factor in English history,[30] and a topic related to Freeman's

[20] *Ibid*, p. 419.

[21] This belief in the primordial "Aryan" language family shows the influence of the thinking of Professor Max Miller on Freeman, *Ibid*, pp. 419-420.

[22] *Ibid*, p. 430.

[23] *Ibid*, p. 431.

[24] E. A. Freeman, "The Alleged Permanency of Roman Civilization in England," *MacMillan's*, XXII (July 1870), p. 212.

[25] *Ibid*, p. 228.

[26] Allen, p. 486.

[27] Coote argued that the Belgae were the major Toutonic element in ancient geographical England and that the Roman conquest resulted in the acculturation of the Belgae to Latin culture. Henry Charles Coote, *A Neglected Fact in English History* (London: Bell and Daldy, 1874).

[28] Freeman, *MacMillan's*, XXII (July 1870), p. 212.

[29] James Stephen, *Questions for Law Students on the Sixth Edition of Mr. Serjeant Stephens New Commentaries on the Laws of England* (London: Butterworth, 1869).

[30] *Athenaeum*, No. 2329 (June 15, 1872), pp. 750-751.

1872 publication of *The Growth of the English Constitution from the Earliest Times*.[31]

In 1885 Freeman took up the cudgels against the recently formed Imperial Federation League, a creature of some of the chief Anglo-Saxomist ideologues formed at London in 1884.[32] "The phrase 'Imperial Federation' is a contradiction in terms . . . what is imperial cannot be federal", he argued. The idea of "The coming union on equal terms of all the English people . . . all the English-speaking people--all over the world" was to his mind nonsense.[33] (Although Freeman did not make the point, Imperial Federation smacked of the chimera of a great union of Anglo-Saxon colonies federated with the Anglo-Saxon motherland, an idea advanced by Churchill at a Tory meeting at Blackpool in 1884[34] and subsequently reiterated by Lord Carnarvon at an Imperial Federation League meeting in late 1889 when praised Australia as another "home of the British race" and "another support of the mother country".)[35]

Anglo-Saxonism would not go away. After a quarter century of battling sporadically against the theory that the English people were Anglo-Saxons (but without much impact upon the Conservative Party, the Imperial Federation League, and the zealots of imperial expansion), Freeman turned for a final time to do battle with Anglo-Saxonism: in 1890, two years before his death, noting "the high-polite style of a Lord Mayor's feast" in conjuring up the myth of "the Imperial instincts of the Anglo-Saxon race," Freeman sighed "one is sometimes tempted to ask in sheer weariness, will any man be able to say the last word on the question . . . the question of whether we, the English people, are ourselves or somebody else."[36]

Freeman allowed that "there had been Angles and Saxons on the isle of Britain," but he repeated the view that Angles and Saxons . . . were only one element, perhaps a very inferior element in the population of Britain."[37] (A contemporary book by Seebohm asserted that the settlers of medieval England did not come from the "land of Angles and Saxons" in Germany.)[38] Noting that "the latest doctrines . . . come to this: we are not Angles and Saxons," Freeman opined that the new view raised "the question . . . whether there ever were Angles or Saxons in Britain at all".[39] It was not that he had subscribed to the notion that the Angles and Saxons had played no part in the cultural and biological ancestry of the English people, but, Freeman protested, he objected to the romanticized and ignorant ethnography of "These statesmen and princes of the Church who have lately taken in hand the nomenclature of that part of mankind whom plain men may think it enough to call English folk."[40] Popular political theorizing and the confusions

[31]E. A. Freeman, *The Growth of the English Constitution from the Earliest Times* (London: Macmillan's, 1872).

[32]*Times*, July 30, 1884, p. 12.

[33]E. A. Freeman, "Imperial Federation," *Macmillan's*, LI (April 1885), pp. 430, and 445.

[34]Churchill described England as "the nerve center of the widespread dominions . . . of the liberty spreading Anglo-Saxon race." *Times*, February 25, 1884, p. 12.

[35]*Daily Telegraph*, November 16, 1889, p. 3.

[36]E. A. Freeman, "Latest Theories on the Origins of the English," *Contemporary Review*, LVII (January 1890), p. 36.

[37]*Ibid*., p. 36.

[38]Seebohm held that since the German Angles and Saxons had a one field system and since the English had a three field system the English did not have Angle and Saxon ancestors. Frederic Seebohm, *The English Village Community examined in its relationship to the manorial and tribal systems and to the common or open field system of husbandry* (Lond: Longmans, Green, 1864), p. 372.

[39]Freeman, p. 37.

[40]*Ibid*., p. 50. The fiftieth Jubilee of Queen Victoria in 1887 had been a time of great popular display of enthusiasm for the monarchy and Empire. *Standard*, June 10, 1887, p. 5.

of scholars had generated a tangle of theories; and it made as much sense to adopt the more farfetched as to subscribe to Anglo-Saxonism (". . . it may be better to declaim about the 'Suionic race' than about the 'Anglo-Saxon' race . . . it will lead fewer people astray," Freeman mused.)[41]

Freeman's final view of the matter, enunciated shortly before his death, was a common sense explanation: "there is an English folk, and there is a British Crown . . . here by the border stream of the Angle and Saxon . . . in one of the homes of the English folk." Wearily going over again "the question of the origins of our people . . . this great and abiding dispute" and, he added satirically, "leaving aside the Anglo-Saxon race or the British race," Freeman complained of the irresponsible use by politicians of the term "Anglo-Saxon race." After twenty-five years of his efforts to explain that Anglo-Saxonism was fustian the historian asked: "When will men, statesmen above all, learn that names are facts...that a confused nomenclature marks confusion of thought, failure to grasp the real nature of things." In spite of his persistent and repeated complaints the politicians paid him no heed: "The other day one eminent person enlarged upon the glories of the 'Anglo-Saxon race', while another enlarged instead on the glories of the 'British race'".[42] (Carnarvon had eulogized "the British race" in a London meeting of the Imperial Federation League a few weeks before the publication of Freeman's article.)[43]

"In my youth the 'Anglo-Saxon race' was unheard of, and 'the British race' dates, I believe, from the speech of last week from which I quote. . . ."[44] The tone of Freeman's article seemed to indicate that he realized that the terms "Anglo-Saxon race," "British race," and the like as used by politicians and imperialists were essentially mythopoeic rather than ethnographic or historiographic terms. Freeman's battle had been on the scientific plain and at that level he appears to have demonstrated for those who were willing to examine the facts that although the Angles and Saxons had indeed migrated to England in ancient times there was no such thing as an "Ango-Saxon race" either in medieval or modern England. But at the popular political level, where terms are often reified, where the abstract is treated as a material reality, and where emotions and wishful-thinking prevail, the Victorian concept of the "Anglo-Saxon race" seemed just as popular when Freeman died as when he had first attempted to eradicate it in the 1860's.

Perhaps Professor Freeman could count it as a limited victory that six years after his death Lord Rosebery, in commenting upon Dr. Waldstein's criticism of the "unsound ideas respecting our racial origins which the expression Anglo-Saxon conveyed", told the Imperial Institute that as a politician he was uncomfortable with the term "Anglo-Saxon" and wished for a more accurate term: "I do not plead for the word Anglo-Saxon," Rosebery told his audience, adding: "I would welcome any other term than Anglo-Saxon which in a more conciliatory, a more scientific, a more adequate manner would describe

[41] *Ibid.*, p. 51.
[42] *Ibid.*, p. 50.
[43] *Daily Telegraph*, November 16, 1889, p. 3.
[44] Freeman, p. 50.

the thing I want to describe."[45] There was a sense of physical and cultural identity which Rosebery, Dilke, Brassey, Churchill, Froude, and Carnarvon were trying to convey to their political audiences which was closely related to colonization, imperial expansion, and the rule over Asians and Africans. After nearly three decades of Freeman's attack on Anglo-Saxonism, reinforced by the anti-Anglo-Saxon writings of Goldwin Smith and Grant Allen, Lord Roseberg who had been Prime Minister (1894-1895), reflecting a conflict between his academic sensibility and his imperialistic political emotions, admitted: "I hardly know whether you call it British or Anglo-Saxon or whatever."[46]

[45]Rosebery went on to talk about the religious, language, and other cultural factors linking the English people together and about the "British and American races", evincing the fact term race had, to his mind, a variety of denotations, most of which were cultural rather than physical an biological. *Times*, July 8, 1989., p. 8.

[46]*Ibid*, p. 8.

SCOTTISH MILITARY EMIGRANTS IN THE EARLY MODERN ERA

William S. Brockington
University of South Carolina at Aiken

From the late Medieval period until the outbreak of the French Revolution, over 60,000 Scots[1] emigrated to various areas of Europe to sell their fighting prowess to the highest bidder. They served in French, Dutch, Imperial (both Spanish and Austrian), Danish, Swedish, Polish, Prussian, and Russian armies, among others[2]. In addition, at least another 20,000 served in Scottish units for Great Britain in the century after 1660[3]. In a country whose population is estimated to have been about 500,000 in 1500 (and probably did not exceed a million until after 1800)[4], this is a phenomenal number. The immediate question that comes to mind is--why?

In the literature pertaining to Scottish military emigrants, a mono-causal reason to this question is usually given. Robert Monro, whose *Monro, His Expedition With The Scots Regiment*[5] is the only lengthy primary source extant, wrote of honor and reputation.

[1]From Brockington, William S. "The Usage of Scottish Mercenaries by the Anti-Imperial Forces in the Thirty Years' War." Unpublished Master's Thesis for the University of South Carolina, 1968; *Calendar of State Papers of England, 1611-1649.* Domestic Series. 25 vols. Various editors. 1858-1898; *Register of the Privy Council of Scotland.* Three Series. 1569-1707. Various Editors. 37 Vols. 1890-1970; Fallon, James A. "Scottish Mercenaries in the Service of Denmark and Sweden, 1626-1632." Unpublished Ph.D. dissertation, University of Glasgow, 1972; and educated guesses.

[2]Ferguson, James, ed. *Papers Illustrating the History of the Scots Brigade in the Service of the United Netherlands, 1572-1782.* 3 Vols. Edinburgh: T.&A. Constable, 1899, deals with the Low Countries; Steuart, A. Francis, ed. *Papers Relating to the Scots in Poland, 1576-1793.* The Scottish Historical Society. Edinburgh: T. and A. Constable, 1915, and *Scottish Influences in Russian History from the End of the 16th Century to the Beginning of the 19th Century.* Glasgow: J. MacLehose, 1913, deal with Poland and Russia; Fischer, Thomas A. [pseu. Ernst Ludwig']. *The Scots in Eastern and Western Prussia.* Edinburgh: Otto Schulze, 1903, *The Scots in Germany, being a contribution towards the History of the Scots Abroad.* Edinburgh: Otto Schulze, 1902, and *The Scots in Sweden.* Edinburgh: Otto Schulze, 1907, deal with the Baltic; Dow, James. *Ruthven's Army in Sweden and Esthonia.* Historikt Archiv 13, and Brzezinski, Richard. "British Mercenaries in the Baltic, 1560-1683 (1)." *Military Illustrated Past and Present.* Vol. 4 (December 1986/January 1987), pp. 17-23, and " British Mercenaries in the Baltic, 1560-1683 (2)" *Military Illustrated Past and Present.* Vol 6 (April/May 1987), pp. 29-35, deal also with the Baltic.

[3]Barnes, Robert Money and Allen, C. Kennedy. *The Uniforms and History of Scottish Regiments: Britain-Canada-Australia-New Zealand-South Africa, 1625 to the Present Day.* London: Seeley, 1960; Brander, Michael. *The Scottish Highlanders and their Regiments.* London: Seely, 1971; and Frederick, J. B. M. *Lineage Book of British Land Forces 1660-1978. Wakefield; Yorkshire: Microform Academic Publishers, 1984; are the starting points for Scots in the British army.* The figure is an educated guess.

[4]Flinn, Michael, ed. *Scottish Population History from the 17th Century to the 1930s.* Cambridge: Cambridge University Press, 1977, and Whittington, G. and Whyte, I. D. *An Historical Geography of Scotland.* New York: Academic Press, 1983, are invaluable for population statistics and trends.

[5]Monro, Robert. *Monro, His Expedition with the Worthie Scots Regiment (called Mac-Keyes Regiment) levied in August 1626 by S. Donald Mac-Key Lord Rhees, Colonell for his Majesties service of Denmark . . . . afterward, under the Invincible Kind of Sweden . . . .* London: W. Jones, 1637.

James Turner, a very young soldier in the 1630s, wrote in his *Memoirs*[4] of the opportunity to serve under Gustavus Adolphus, the great Protestant military leader of the day. Monographs on the subject usually focus on religion, or pay and booty, or adventure, or fighting for the daughter of King James, or simply because the soldiers had no other choice[5]. However, it is the opinion of this author that a more eclectic approach to the topic is needed. It is true that, at certain times, many went abroad, but many were needed. At other periods, many were needed, but few went. The purpose of this paper is to provide an introduction to the various factors--economic, political, social, and military--which encouraged military emigration. This paper will also place the emigration into a historical perspective.

To understand this outmigration, the geography of Scotland must first be considered. The Highlands, which comprise two-thirds of Scotland, had little arable land for food production; and the bulk of the population lived in the Lowlands, along the eastern coast of Scotland. Despite recurring outbreaks of plague and of war, a growing population relied upon subsistence farming techniques for food. This left large stretches of the countryside denuded of trees, and the annual rainfall caused severe erosion problems. Cloudy skies, a short growing season, a lack of arable land, and poor farming techniques made it difficult to feed the growing population. Famine, both national and local, occurred frequently, and always meant large numbers of vagabonds looking for subsistence. Added to this was a lend-tenure system which was inefficient at best. Younger sons were forced to look elsewhere for their future. Thus, these population pressures meant that a surplus of men was frequently available for employment elsewhere[6]

The nature of Scottish political and military history helped in their choice of avocation. Between 1295 and 1560 there was continual hostility between Scotland and England. Only rarely was Scotland victorious on the battlefield; and very frequently Lowland Scotland, which was readily accessible to any invader from the South, was invaded and devastated by the English. Adding to this hostility was the "Auld Alliance" between Scotland and France. As long as this bond existed, there could be no peace between Scotland and England. Indeed, Scotland's frequent military disasters were usually the result of French insistence upon a Scottish military show to complement a French military effort on the continent. The Scots always honored the treaty. Unfortunately for them, it always cost them dearly.[9]

As if this were not enough, beginning in 1406 there were seven consecutive monarchs who acceded to the throne at an average age of six. Two reigns ended with the king being murdered, and two died while at war. One died abruptly after a major military disaster, and another abdicated. This series of minority kings, coupled with the

[4]Turner, James. *Memoirs of his own Life and Times 1632-1670.* London, Reprinted 1829.

[5]Brockington, Fallon, and Fischer; see also Burton, John Hill. *The Scot Abroad.* New Edition. Edinburgh and London: W. Blackwood and Sons, 1898, and Grant, James. *The Scottish Soldiers of Fortune.* London: George Routledge and Sons, 1889.

[6]Donaldson, Gordon. *Scotland: James V to James VII.* Vol. III of *The Edinburgh History of Scotland.* London: David & Charles, 1974, and Ferguson, William. *Scotland, 1689 to the Present.* Vol. IV of *The Edinburgh History of Scotland.* London: Oliver & Boyd, 1977, are excellent introductions. Houston, R. A. and Whyte, I. D., eds. *Scottish Society, 1500-1800.* New York: Cambridge University Press, 1989, has excellent articles.

[9]Donaldson, Gordon, "The Auld Alliance: the Franco Scottish Connectio." Edinburgh: Saltire Society and L'Institut français d'Ecosse, 1985, has an overview. See footnote 8 for other source.

continual warfare with England, resulted in a society which was designed for fighting and little else. With little central authority, local nobles developed strong, personal armies based upon familial relationships, or clans. Among these clans, warfare was quite common; and military skills were prized above all else.[10] This internecine warfare was finally ended during the reign of James VI (1567-1625), and the dynastic wars with England ceased altogether with the union of Scotland and England in 1603. Unfortunately, as peace was not something for which Scottish society was designed, this change left many Scots without work.

Fortunately for the military emigrant, revolutionary changes in the nature of warfare on the continent made the service of Scots not only desirable but necessary. During the 100 Year's War the English had taught the French that non-noble infantry could defeat mounted, or dismounted, noble knights. New infantry tactics developed by Swiss pikemen, Italian *condottieri*, and German *Landsknechte*, coupled with the introduction of firearms, meant that the feudal system and the feudal way of fighting were now truly futile. This democratization of the battlefield meant that the tactics of the battlefield, as well as the composition of armies, would change. Trained, standing armies, composed largely of foot soldiers, would be the military machine of the future.[11]

This military revolution occurred at a time when the central governments were weak, revenues were limited, and bureaucracies were inadequate. Despite these limitations, the emerging dynastic, territorial states were engaging in intense competition throughout Europe and elsewhere. Every monarch desired a standing army to protect his realm and to expand it, wherever possible. To fill the military needs of these rulers, a new businessman appeared--the military entrepreneur. For an agreed-upon price, he would supply a fixed number of armed men to a prince for a specified period of time. With but few exceptions, all armies were contracted for in this fashion for almost two centuries. It was never an easy task to find enough volunteers to meet the virtually insatiable demands during the dynastic and religious wars of the period 1500-1800. Usually the best place to search for mercenaries was in the poorest and least politically stable areas of Europe. Scotland was certainly one such area.[12]

From the forgoing it should be clear that the economic, political, social, and military environment was ideal for massive Scottish military participation in continental wars. It might be said that the stage was set for an exodus of the nature described in the first paragraph of this paper. However, an analysis shows that the matter was far more complex than this. Scots did not always respond to recruiters, even when they were Scottish recruiters; and then, on other occasions, they responded overwhelmingly. Thus, an analysis of various factors at each period is required if the whys of the military

[10]Dodgson, R. A. "Pretense of Blude' and 'Place of Thair Dwelling: the Nature of the Highland Clans, 1500-1745." in *Scottish Society, 1500-1800*, edited by R. A. Houston and I. D. Whyte. Cambridge: Cambridge University Press, 1989, is an excellent introduction to clan warfare. See footnote 8 for other sources.

[11]Parker, Geoffrey. *The Military Revolution: Military Innovation and the Rise of the West, 1500-1800*. Cambridge: Cambridge University Press, 1988, and *The Thirty Years' War*. London: Routledge and Kegan Paul, 1987, and indispensible. Clark, G. N. *War and Society in the Seventeenth Century*. Cambridge: Cambridge University Press, 1958; Corvisier, Andre. *Armies and Societies in Europe, 1494-1789*. Translated by Abagail T. Siddall. Bloomington: Indiana University Press, 1979, are also useful.

[12]Redlich, Fritz. *De Praeda Militari: Looting and Booty 1500-1815*. *Vierteljahrschrift für Sozial-und Wirtschaftsgeschichte*, Vol. 39. Wiesbaden: Franz Steiner, 1956, and *The German Military Enterpriser and his Work Force*. 2 Vols. *Vierteljahrschrift für Sozial-und Wirtschaftgeschichte*, Vols. 47 and 48. Wiesbaden: Franz Steiner, 1964 and 1965, are excellent.

emigration are to be comprehended.

Before analyzing specific examples of Scottish military emigrant participation, it would be useful to provide a few general statements regarding the period 1500-1800. First, when Scotland was involved in war with England or when Scotland was undergoing some other form of upheaval, few mercenaries left. Obviously, if Scotland were fighting England, all of her men were needed at home. This was frequently true in the period 1500-1560 and again 1638-1660. Moreover, if there was a domestic crisis, such as the Scottish Reformation (1560s), people tended not to leave. If there were few problems at home and if food were in good supply, again people did not leave. If there was peace on the continent (which occasionally did happen), there was little demand for Scots (except in commerce or simply as settlers, which many Scots did do in the Baltic area).[13] However, if the right combination occurred, that is if there were hard times and peace at home, and if there were a good (in the sense that Scots felt an interest or a kinship in it) war or two on the continent, then the mercenary life became quite attractive. While a detailed analysis of Scottish participation in continental wars is far beyond the scope of this paper, two examples should serve to illustrate the themes outlined above.

In 1560 the "Auld Alliance" was finally terminated, ironically enough with the assistance of England. The Calvinist Reformation, coupled with the intrigues of Queen Mary Stuart, resulted in the abdication of Mary, the accession of her infant son James VI, and the establishment of peace between the two countries by the Treaty of Edinburgh. Political peace, however, was a mixed blessing, for the economy did not reflect it. The Scottish economy was simply too primitive to compete effectively in the European setting. Usually raw materials were exported, finished goods imported, and gold made up the difference.[14] This meant inflation. The period 1560-1600 saw general prices increase 500-600% while wages increased only 400-500%.[15] 1560-1562, 1572-1573, and 1585-1587 were years of severe grain shortage; while 1594-1598 were years of severe famine in Scotland as well as throughout Europe. In addition, there were several periods where there was localized dearth. During such periods of hunger, there was one sure export available in great quantities--men.

An area in which Scots had a long-standing interest was the Low Countries. A commercial agreement between Scotland and the Low Countries had been reached in 1427, with a Staple at Veere established in order to expedite this trade.[16] Large numbers of Scots had emigrated to the Low Countries, either as merchants or as settlers.[17] In 1568, a rebellion of the United Provinces against their Spanish master began. First under William the Silent [c. 1584], and then under his son Maurice of Nassau, the Dutch created one of the best armies in Europe. Their success was due, in part, to their ability to pay consistently and promptly. Thus, a Dutch need coincided with a Scottish interest

[13]See footnote 2.

[14]Smout, T.C. *A History of the Scottish People, 1560-1830.* New York: Charles Scribner's, 1969; *Scotland and Europe, 1200-1850. Edinburgh: John Donald, 1986; and Scottish Trade on the Eve of Union, 1660-1707.* Edinburgh and London: Oliver and Boyd, 1963, are excellent introductions to economic forces in Scotland. See also Lythe, S.G.E. *The Economy of Scotland in its European Setting, 1550-1625.* Edinburgh and London: Oliver and Boyd, 1969.

[15]Smout.

[16]Davidson, John and Gray, Alexander. *The Scottish Staple at Veere. A Study in the Economic History of Scotland.* London: Longmans, Green, 1909.

[17]Davidson and Ferguson.

and need.

Scottish officers in Dutch service offered to raise units of their countrymen for the war. Between June 6, 1573 and September 7, 1579 no less than 20 commissions were issued by the Privy Council of Scotland for the levying of troops for service in the Low Countries. While the Register of the Privy Council for those years did not always list the number of troops authorized, at least 3000 mercenaries, and possibly as many as 5400 soldiers of fortune, were raised during the period. That the Privy council was concerned with more than just the wars may be seen in the following statement issued in 1572 [in modern English, not Scots]:

> "Forasmuch as the present hunger, dearth, and scarcity of food within the Burgh of Edinburgh, [and] desiring nothing more than the safety and preservation of Scots people, being creatures of God; therefore that the pure and impotent persons shall not perish [let them] pass to the wars in Flanders, or other foreign countries where they may have sufficient entertainment."[18]

These initial levies were formed into the Scots Brigade, a unit which would exist in Dutch service until 1783. Levies were not issued between 1579 and 1602, but the records of the Brigade[19] show that the units were rarely under strength, attesting to the continued emigration to the Low Countries by Scotsmen. Only when the Dutch reduced the size of the units in service was the number decreased. One important note here is that many of the officers of the Scots Brigade, both initially and later, were from the Southern Upland region and from the Lothian region (Edinburgh). Of the 92 officers who served or recruited for the Low Countries, 61 were from the southern half of Scotland, 21 were from the northern half, and 10 are not identifiable. Hence, the main recruiting area for the Low Countries was, and would continue to be, these areas. A pattern that is discernible at this point, and will become ever more obvious, is the pattern of kin following kin, that is, family ties were significant in recruiting success.[20]

Perhaps the most interesting period in the history of Scots abroad is the Thirty Years' War (1618-1648), particularly the Danish and Swedish periods (1625-1634). Once again need and interest would meet with need. Imperial armies were moving northward through the German States, threatening the states of Denmark and Sweden. Denmark reacted first because she was most in the way (Sweden was initially involved in a war with Poland at the time). Scots supported first Christian IV of Denmark, and then Gustavus II Adolphus, because it was a Catholic menace against Protestants. Or was it because they were supporting the deposed Frederick of the Palatinate, formerly King of Bohemia and loser in the Bohemian phase, as well as being the husband of the daughter of James VI/I? Or was it because of the adventure of fighting in a major war? Or was it the opportunity for advancement that a major war provided? Or was it due to long

[18]RPC of Scotland, Vol. 2, Series I, p. 148.

[19]Ferguson.

[20]This is from cross-referencing family/surname locations and mercenary names. When the home of a mercenary is known, it usually fits the family/surname location.

standing Scottish interests in northern Europe? Or was it due to severe economic conditions at home? Or was it a combination of all of the above, depending on who was involved (officer or levy) and from where the men came?[21]

Outbreaks of plague and dearth were widely reported in Scotland between 1615-19. Bad harvests occurred in 1621 and 1622, resulting in famine in 1623 and 1624. 1629-1630 and 1534-1635 also had localized shortages, particularly in the north and west of Scotland. Privy Council Records are filled with reports of vagabonds and with authorizations to mercenary officers for recruiting these vagabonds. Between 1624 and 1634, 24 levies for northern Europe were authorized by the Privy Council of Scotland for 31,800 men. In addition, further levies of 4500 for the Low Countries, 2200 for service in France, and assorted levies for other areas were authorized. These are truly amazing figures, and at least one authority considers the number to have been 10% of the adult male population of Scotland.[22] What is even more amazing is that many of those levies during the early years were filled.

Yet there is more to this than a simple enlisting to avoid starvation. Who and where are also important. The bulk of the levies left from the ports of Dundee, Aberdeen, and ports northward. This is significant for two reasons. These ports had long been established as Baltic trade ports, therefore the ties with the areas meant that Scots from this area had settled around the Baltic sea.[23] Records of clan names and trade records validate this.[24] Hence, it is likely that Scots from this area served in the Baltic because that is where Scots from that area had long been living, trading, and serving. Also analyses of recruiting lists and recruiters note that clan names and clan recruiters follow very closely. Recruiters such as a Robert Monro of Foulis [Cromarty], or a David Leslie from Pitcairlie [Fireshire], or a Sir Donald Mackay from Farr [Sutherlandshire] usually had numerous clansmen to enlist for them. Flight from hunger, or adventure, or clan loyalty - all played important roles in the emigration. It should also be remembered that Hepburn, Home, Dundas, and other southern Scottish clan names do not appear in large numbers in the Baltic armies. Of the 139 officers [I have listed] who served in Baltic armies, 83 were from the northern half of Scotland, 34 from the southern half, and 22 were not identifiable. The same names appear as mercenaries, traders, and settlers. One final comment regarding the mercenaries. There were never enough volunteers, for whatever reason, to fill such enormous demands. Impressment frequently occurred after 1628; and, at that point, accurate analysis becomes virtually impossible.

After the death of Gustavus Adolphus in 1632, and the annihilation of the Swedish army at Nördlingen in 1634, the Thirty Years' War offered little glory. Charles I's problems with Parliament, the two Bishop's Wars between Presbyterian Scotland and Charles I, and the English Civil War (1642-1660) also altered the focus of Scottish military emigrants. Scottish officers who had served foreign masters came home to serve

[21]Brockington and Fallon.
[22]RPC of Scotland, Vols. 1-5, Series II.
[23]Smout.
[24]At present I have in a camputer file about 800 names of officers, where they were from, and where they went. I am looking at patterns of movement; I want to have about 5000 before I do something substantive with it. The gist of my focus is stated in the article-kin follows kin, interest follows interest.

in Scottish armies. Levies which once would have served in foreign wars were now raised for use in Scotland, Ireland, and England during this unsettled time.[25]

By the time of the restoration in 1660, the military climate in Europe had also changed. Jurists such as Hugo Grotius called for international law for the regulation of war in order to eliminate or reduce the atrocities evident in the total wars of the 1635-1660 period. Monarchs themselves realized that smaller, better controlled armies and limited wars would yield more benefits to them for they would not destroy or waste nearly as much. Wars became affairs between small, professional armies having very limited goals. Thus, in the post-1660 period, the demand for mercenaries decreased as monarchs sought to recruit from their own territories, supplementing with mercenaries where necessary. Scotland itself did not need to export men for, although there had been 17 dearth years in the 60 years before 1660, in the 40 years afterwards there were only four, 1695-1699. Thus the need for an outlet was lessened at the same time as the demand for troops was lessened.

Important for the future, however, a new situation for Scottish military emigrants occurred. English kings [still Stuart] began keeping a standing army of their own. There were two lines of thought: first, don't let them out of the country because you might have to fight them; and ,second, use them yourself, don't lose them. Between 1660 and 1700, six Lowland Scottish regiments were established.[26] These effectively sopped up the potential military emigrants from that region as well as from the Highlands. In addition, in 1667, various Highland Watch groups were established. Although Highland regiments were not formally established until after the Jacobite Rebellion of 1745, the first being the Black Watch, the skeleton of these units can be seen in the immediate post-Restoration period. When wars now occurred on the continent, disrupting trade between Scotland and the continent, or when famine struck, unemployed Scots could volunteer to serve England in specific units in which they could continue their family allegiance. These British troops would play an ever-increasing role in Britain's rise as a power in Europe in the post-1700 period.

[25]Brockington and Reid, Stuart. *Scots Armies of the Civil War, 1639-1651.* Leigh-on-Sea: Partizan, 1982.
[26]See footnote 3.

THE REVOLUTION OF 1989 AND GERMAN UNIFICATION

Peter Becker
University of South Carolina

> "*Freiheit*, schöner Götterfunken . . ."
> (Beethoven's Ode to Joy as sung
> on both sides of the Berlin Wall,
> December 31, 1989).

Revolutions were blazing across most of Europe. Established governments fell and were replaced by new ones whose emphasis was national and whose politics were liberal. It was a movement to give power to the people through the ballot box and to allow them to exercise their rights with freedom of speech, freedom of assembly, freedom of the press, and freedom of religion. The nations wanted freedom internally from police oppression and externally from the intervention and occupation by tyrants.

But in some cases within a few months, in others within a year, the old repressive powers reestablished themselves. Their power structures had only been weakened by the revolutionary disturbances, not destroyed, and between the old political leaders and the armed forces at their disposal, short shrift was made of the revolutionary movement. Real liberty and freedom had to wait for another day.

Is this a description of the events of the past year? No, fortunately not. The description is that of the course of events in 1848, the only period in history remotely comparable to our own revolution of 1989 in central and eastern Europe. Possibly because of the historical analogy the justified fear was held for a while that developments in 1989 might be curtailed in equally fateful fashion. In Poland, Hungary, Czechoslovakia, and East Germany, the Russians have armies of more than half a million men, ready at a moment's notice to restore Communism to power. Without a doubt such a step would undo the years of careful cultivation of the West by Mikhail Gorbachev, would begin a new Cold War and throw the millions of East Europeans into the dungeon of despair from which they are just now emerging. Of course it would not be the reformist Gorbachev who would order such an action, but the unregenerate reprobates of the Communist Party, the Red Army, or the KGB, fearful of losing their positions of privilege. Only as months passed without a growl from the Soviet bear has the prospect of intervention diminished to the point not of impossibility but of extreme unlikelihood.

Only gradually did it become apparent that Russia's internal problems with the economy, a calcified nomenklatura, a restive set of satellites, and a collection of festering ethnic dissatisfaction had grown so massive that only radical surgery can save Russia and the Communist Party from dissolution. The West had always known that Russia was a superpower in military terms only and at the level of a Third World developing country in all other respects, but few were aware of the truly ramshackle conditions of the country. In order to salvage what he can of the Communist Party and the Russian state, Gorbachev has initiated unprecedented changes in the Soviet Union, introducing glasnost and perestroika, changes which have assumed a dynamic of their own. There was a visit to the Pope in the expectation of pacifying the Poles, but it also led to the reestablishment of freedom of religion for the Russians themselves. At first strongly opposed to relinquishing the decisive and leading role of the Communist Party, Gorbachev has accepted the loss of its monopoly of power, adding demokratizatsiya to glasnost and perestroika. Russia is in the process of changing from one-party monopoly to a multiparty pluralistic state and will jettison its communist dreams which there and everywhere else have turned into nightmares. The need for a thoroughgoing reform of the economy in the direction of a free market has also been recognized and seems to be in the works.

It is perhaps this last point which was Gorbachev's most powerful incentive for change. As the European Community was advancing toward economic and fiscal unity with increasing speed, thinking of 1992 as the first of many major steps toward complete unification, the prospects of a closed market must have been as disturbing to the Russians as they are to the Americans. Americans have a chance of participating and remaining competitive, but the Russians and their own dilapidated common market, Comecon, would be frozen out. Suddenly Gorbachev started sounding the theme of a "common European home." He wanted, indeed needed, access to the capital of the West, particularly Germany's. He wanted in, and as the past 45 years had demonstrated that he could not lick the West, he had to join it.

Signals were sent out and picked up quickly. The Poles were permitted to have almost free elections, with the result that one house of parliament has no Communists in it, while in the other one only a proportional agreement safeguarded at least minimal representation for them. The Hungarians decided to allow vacationing East Germans to cross the border to Austria and the East German government was forced to confront the seething discontent of its population.

That it would have to do so eventually was fairly clear. Visitors to East Germany could not fail to notice the signs. Two years ago there was the official tour guide who pointedly mentioned her membership in the Lutheran Church while not spending one second extolling the wonders of the Communist system. There was the instructor in the house of Johann Sebastian Bach who delivered her lecture without the slightest reference to the glorious achievements of her socialist state; the small crucifix she wore around her neck was much more telling. Yet another tour guide pointedly ignored a cemetery for Russian soldiers which was on the official list of things to be seen.

And finally there was the group of workers in an East Berlin restaurant. As a reward for hard work in Karl-Marx-Stadt their factory had sent them to East Berlin for a week's vacation. Lodged in a cold-water flat in an East Berlin suburb, they had no

illusions that the better hotels were not for the likes of them. They marvelled at how much better than their home town East Berlin looked and how many more items the East Berlin stores carried, goods which were not available in their own region. One of them had just bought a Trabant, a car for which he had been on a waiting list for eleven years. They spoke of watching TV programs like "Dynasty" and "Dallas," suggesting that although they were aware that these shows were not representative of the American way of life, nevertheless they were certain that the average American had a lifestyle of which they in their workers' paradise could only dream.

When the discussion came to the question of German reunification, they shrugged their shoulders and sighed. It would not come about in their lifetime, they said regretfully. Only when Europe had become unified and had succeeded in transcending national sentiments would there be a chance for the two Germanies to come together again. They did not seem to realize that if the European Community proceeded on the path toward economic (and ultimately political) unification, the chances of German unity would dwindle to absolute zero.

Underlying their conversation was a profound melancholy. When it was time for us to leave in order to beat the midnight curfew, we had the feeling of having been visitors in a prison. While there, everyone is equal and can mingle, but when visiting hours are over, no doubt is left as to who are the visitors and who are the prison inmates. We knew it, and so did they.

So the signs were there, but they meant little as long as East Germany remained a police state, propped up by the bayonets of 20 Soviet divisions stationed in East Germany. Reunification might come some day, the Wall might be torn down some day, but that day was so far in an uncertain future that to think of it was like having a fantasy. Too many obstacles stood in the way, erected by the victorious Allies in 1945.

There was never any doubt that the answer to the German Question--that open, troublesome, seemingly eternal question--until recently lay with the Allies. In various documents over the years the three western Allies at least were committed to produce German unity, pending a peace treaty, but no one had any illusions that their declarations were anything more than lip service. Both the British and the French for very good national reasons of their own to this day do not really want to see one Germany in the center of Europe. Their opposition is what might be called strategic. They know very well that a united Germany will dominate Europe economically even more than West Germany does now, and they also know that the political center of gravity, for so long located along the Paris-London axis inexorably will move eastward to Berlin. For them NATO and the European Community meant that West Germany's strength would remain harnessed to the interests of western Europe.

The interests of the United States are, in a sense, more tactical. Of course, the United States wishes to retain influence in Europe; the only question is how. NATO, as the first secretary-general of the organization, Lord Ismay, once remarked, was founded in order to keep the Russians out, the Americans in, and the Germans down. This aperçu was true only as long as the Russians themselves provided the continuing raison d'être for NATO. Created in 1948 in response to the aggressive and expansionistic policies of the Soviets, culminating in the Communist usurpation of Czechoslovakia, NATO was designed to tell the Russians: "This far, and no farther!" Now, however, the

Russian threat is receding and in the face of a collapsing Warsaw Pact, NATO is losing its justification, requiring a new definition of America's role in Europe.

Having come to terms with the fact that German unification can no longer be prevented, and may in fact not even be in Russia's long-term interest to prevent, the Russian opposition to it, such as it is, also has no more than tactical purpose. In the face of a collapsing Warsaw Pact, the Russians seem to be trying not to give up a Warsaw Pact quid without a NATO quo. Differently put, they are not willing to vacate central Europe without America doing likewise.

The Russian readjustment has become necessary in consequence of Russia's deteriorating domestic position, economically and ethnically, and, in equal measure, by the events in East Germany. The trickle of East German refugees first through Hungary and then through Czechoslovakia and Poland swelled to an uncontrollable torrent and indicated a hemorrhage of young and skilled people without whom the East German economy could survive only with great difficulty. The spontaneous peaceful demonstrations of millions of East Germans day after day in all parts of East Germany, defying their police state and demanding political freedom and human and civil rights, shook the Communist regime to the core.

In astonishing short order the German Democratic Republic which, to paraphrase Voltaire's comment on the Holy Roman Empire, was neither democratic nor republican, was compelled to remove Erich Honecker, its aging leader, and replace him with Egon Krenz, a younger version. Krenz lasted longer than he deserved, and his place was taken by Hans Modrow, who was known as a reform Communist. Krenz was forced to promise a democratic system and free elections and open the border between East and West Germany. No one who watched people standing atop the hated Berlin Wall on November 9--a portentous date in German history, recalling the proclamation of the republic in 1918 and Hitler's Beer Hall Putsch in 1923--who saw suddenly smiling East German police and border guards, who looked at the stunned and tearful faces of East and West Germans alike could remain unaware that he was witnessing history in the making. The house built by Stalin and his Marxists was tumbling down.

Even with free elections promised, the exodus of East Germans has continued, averaging two thousand people a day. East Germans, burnt too often by the treacherous promises of their leaders, do not trust the prospects of free elections and a true change in their conditions. Borders, in their minds, can always close again, and it is better to get out before they do. West Germany sensibly has been unwilling to commit assistance to a state whose political and economic contours will not be clear until after elections. Faced with the collapse of the state, Modrow moved the elections up to March 18.

What kind of results will they produce? The East Germans will remember that it was the Comrades whom they have to thank for police repression, political prisons, economic shortages, dilapidated housing, pollution of unprecedented proportions, and a generally stultifying atmosphere. They now prattle of "socialism with a human face," but did not mention it during the past four decades. It will be the rare Communist who will be elected dogcatcher. Even Hans Modrow may have his difficulties. People will not forget that he wanted to preserve the Staatsicherheitsdienst, the Stasi, East Germany's despised and feared secret police. People will keep in mind that once a Communist, always a Communist.

Who will come out of the elections victorious? Probably not the amorphous organizations that were so active in demonstrations and opposition to the Communist regime; more likely it will be the East German versions of West Germany's Social Democrats, Christian Democrats, and Free Democrats.

No matter, it will only be an interim parliament and an interim government. Talks will start immediately between the East and the West Germans, laying the groundwork for speedy unification of the two halves. The general elections scheduled for December 1990 in West Germany may well be elections conducted in a unified Germany, resulting in a parliament and an administration that will speak with the authority of all Germans behind it.

It is these December elections which seem to motivate Chancellor Kohl in his shortsighted pronouncements on the Polish-German border. Pressed to commit himself, he has evaded the issue by claiming that only an all-German government can agree to the permanent loss of the territories east of the Oder-Neiße line. These are areas of Germany handed over to Poland in 1945 as compensation for the Polish territory taken by the Russians. The Polish population in the Russian-seized area was transplanted to the former German lands, from which the Germans had been expelled. From just before the end of the Second World War until two years after it, about 13 million Germans were driven out of East Prussia, Pomerania, Silesia, and the Sudetenland. Some two million perished in the process. East Prussia was divided half and half between Russians and Poles, and the Sudetenland of course became totally Czech. It was ruthless surgery, but it solved the problem of German minorities in eastern Europe.

Today, forty-five years later, the Poles settled in the former German territory regard it as theirs. The German expellees formed lobbying associations in West Germany and have been a political force, albeit steadily diminishing in political power over the decades. The irony is that although they continue to claim the eastern lands as theirs, only a minuscule number of them would be willing to return if given the chance. Just as the Poles made a life of their own after 1945 behind the Oder-Neiße line, so the Germans from there settled and began to feel at home in West Germany. A second and a third generation has been born and raised in West Germany, without any attachments to the land of their parents and grandparents. If given a choice, they will stay where they are and leave the Poles in peace.

Chancellor Kohl ought to do the same. Both East Germany and West Germany decades ago in separate treaties with Poland recognized the borders of 1945 as permanent. Kohl only would have to affirm these agreements. To do so, however, would expose him to the charge of a give-away that might drive some Germans into the arms of the right-wing Republicans and endanger his chances for remaining German chancellor. Kohl's reaction is that of a politician, not that of a statesman. As the latter, he would know that without the developments of the past year there would be no talk whatsoever about the fate of the eastern territories; they would remain as elusive and lost as they were for the past forty-five years. It is only because of the totally unexpected and miraculous opportunity for uniting the two German halves that we hear any mention of the lost eastern territories. The Germans owe the Poles a lot. If their aquiescence to German unity can be obtained through a German confirmation of their western border, unity will have been purchased at a reasonable price. In any case, Germany's new

borders will not be those of 1937, and for that reason one can not speak of German reunification, but only of the unification of two Germanies.

In a way, the German-Polish border is the easiest in eastern Europe to define. Moldavia is restive and would like to return to Rumania. No one so far has brought up the Polish territory confiscated by the Russians, no one has yet solved the minority problems along the Turkish-Bulgarian, the Rumanian-Hungarian, and the Polish-Lithuanian borders. And if Lithuania actually gains its independence from Russia, northern East Prussia with its valuable port of Kaliningrad (Königsberg) will be separated from Russia proper by a Lithuanian Corridor. These potentially explosive disputes are indicative of the many minority problems besetting eastern Europe and Russia. It remains to be seen whether they can be resolved with no more difficulty than the German-Polish border.

The Germans will have their hands full with East Germany's problems. Will East Germany retain the artificial administative divisions (Bezirke) created after 1945 in place of the traditional provinces? This question pales in comparison to the problem of how the collective farms are going to be privatized again, or how best the state-owned businesses can be returned to the owners from whom they were expropriated 45 years ago. Not only individual justice demands that the confiscated property be returned to the rightful owners, but also common economic sense. Marxism and centralized economies have failed to work; only privatization can restore part of the former efficiency. Under the best of circumstances, it will take at least ten years and approximately 100 billion German marks annually before economic health is restored to East Germany.

Another issue that requires resolution is the social security to which East Germans have grown accustomed over the past 45 years. East Germans knew that they could always rely on the state to help them out with their job, health, or housing problems. Most East Germans have become aware that their system of social security is incompatible with capitalist practices, but a sizable minority is afraid that it will lose out when united with West Germany. Yet the West German negotiators should have no serious difficulty persuading their East German partners that the West German social market economy bears little relation to the raw capitalism that many East Germans erroneously expect in the West. West Germany's economy and social legislation have been able to provide a safety net that is the envy of many societies, including the United States, and that provides as many services as the East Germans are accustomed to. These lingering sentiments, however, may play a strong role in the March elections, giving the Social Democrats a boost, and may be equally attractive in all-German elections. In that case Kohl may be unsuccessful with his Christian Democrats, regardless of how he handles the sensitive Polish problem.

Even after the Germans arrange themselves internally and with Poland, there still remain the Allies to be considered. Whereas until half a year ago the answer to the German problem lay totally in their hands, this is no longer the case. Regardless of the opposition of France, Britain, the United States, and even the Soviet Union, all they would be able to prevent at this stage is the formal union of the two. But nothing would keep the Germans after March 18 from devising policies for open borders and economic and currency union. For all practical purposes they will be united.

It is the prospect of this unified and strong country that sends shivers down the back of many people inside and out of Europe. Too many remember Germany's power, Germany's militarism, Germany's aggressiveness and arrogance, and Germany's brutality toward its weaker neighbors and the Jews. How valid are these fears today? How much credence ought to be given to the arguments of those opposing German unification?

Before the strength of the sentiments in favor of German unification became evident, there were people who argued that Germany had been unified for only seventy-five years, from 1870 to 1945, and that this length of time was inadequate to give Germans the sense of national unity that other nations such as the French, the English, or the Americans enjoyed. What the critics overlooked was that whereas Germany did indeed come to national unity late, so did Italy. No one today claims that the Italians have not developed a national consciousness. As for the Americans, one should not forget that at the time of Valley Forge, Americans did not think of themselves as Americans as much as they considered themselves Pennsylvanians or New Jersyites. That was only two hundred years ago. The Civil War a hundred years later was nothing more than a war to determine America's national cohesiveness. Interestingly, America's unity was preserved by the force of arms at about the same time that Germany was created by force of arms. No one today will argue that the divisions between the American North and the American South are strong enough to split the country. Neither are the divisions betweeen Germany East and Germany West.

As for Germany's aggressiveness, it is more a myth than a fact. It requires historical amnesia not to see that it was France which was the most aggressive country in Europe from about 1635 to 1815, when France was the great disturber of the peace and Napoleon attempted to control all of Europe. Contrary to what people like to believe, Germany was not solely responsible for the outbreak of the First World War. If one insists on singling out one country, Austria was much more of a culprit than Germany. But the more perspective we gain on those events, the more we see that all European countries went to war with more or less reluctance. Social Darwinism was very much alive in those days, and in fact continued to inspire Adolf Hitler.

That brings us to the Second World War which clearly and without a doubt must be put at Hitler's doorstep. Even if we wish to regard the two world wars as the Thirty Years War of the 20th century, there was no compelling necessity for Germany to go to war in 1939. But because it did anyway, is it still (or again) a militaristic country, likely to go on a binge of aggression? The answer is clearly no. First of all neither West Germany alone nor a combined Germany would have the slightest reason to go to war. For the past forty years West Germany has been a trusted partner in NATO (unlike the others, Germany's command structure is integrated with that of NATO), contributing more in money and in men than any other NATO partner with the exception of the United States. Is this trust all of a sudden no longer justified? Anyone familiar with the attitude of German youth knows that no other young people in Europe are less interested in the military than the West Germans. For that matter many people are not aware of the extent to which national antagonisms no longer exist for the young Europeans who in this respect are far ahead of their leaders.

More serious and more valid is the concern with the economic power the new Germany will wield. Not immediately, of course, as West Germany's economic strength

will be fully occupied for the foreseeable future in curing East Germany's economic woes. Eventually, though, the new Germany will dominate the European economy even more than West Germany does now. Is continued division the answer? One might as well argue that because America is as powerful economically as all of Europe (including Germany) combined, it is posing an economic threat to the rest of the world and ought therefore to be divided along the Mississippi River or possibly along the Mason-Dixon line. Or should Russia, which also can be expected eventually to become a strong economic competitor once it gets its economy converted to capitalism, be divided in two? How about the Japanese, who seem to have the capital to buy almost anything they want? The silliness of the attempt to render Germany economically less strong by keeping it divided becomes apparent when it is seen in analogy to the other economic powerhouses.

One way to meet the threat of any economic superpower, be it Japan or Germany, is through economic competition. There is nothing inherent in the Germans or the Japanese that makes them special. What they have achieved can also be accomplished by the British, the French, and the Americans. Secondly, making a united Germany a partner in the European Community will assure that its economic power is of benefit not only to itself but to the other states as well. California or New York state are economically vastly stronger than South Carolina, for example. But no one will argue that their strength would justify separating them from the rest of the United States. To keep the two Germanies separate on economic grounds is equally indefensible.

With the major worries removed, there is still the question of how best to satisfy Europe's, Russia's, and America's security concerns. America's determination to keep armed forces in Europe is motivated in part by the strategic interests of the United States. Having been involved in two costly wars and their aftermath, the United States has earned and must maintain its connection with Europe. President Bush's agreement with Mikhail Gorbachev concerning troop strength in Europe tends in that direction.

At first sight, the pronouncements of the two countries with respect to a unified Germany may seem incompatible, with the Russians insisting on German neutrality and the United States insisting that a unified Germany be part of NATO. Both proposals in essence want to assure that Germany's military potential remains under control. Under the agreement the Russians will be permitted to keep 195,000 troops in Europe, the United States 225,000, of whom 30,000 are going to be distributed among Britain, Spain, Italy and Turkey. The remaining 195,000 men will remain in central Europe (read West Germany). Similarly, as the Poles, Czechs, and Hungarians are asking the Russians to withdraw Russian troops from their soil, the 195,000 Russian troops will also be stationed in central Europe (read East Germany). Such an arrangement essentially will be equivalent to the continuing occupation of Germany by another name, albeit by fewer Russians and Americans than before. Yet it also will provide the stability which all sides desire.

Once the West Europeans and the Russians acknowledge that a united Germany poses no threat to them and once tensions between the Soviet Union and the United States relax further, the number of troops on both sides can be reduced correspondingly. The ideal situation would be one in which the troops of the Soviet Union are withdrawn to within its own borders and those of the United States, considerably reduced from 195,000 men, are equally distributed among all west European states, including France.

America's troops would then play in Europe the same trip-wire role that the American brigade now plays in Berlin: not strong enough to avoid defeat in case of an attack, but of sufficient moment to assure America's involvement in the defense of Europe.
The conclusion is justified that Gorbachev is interested not merely in restructuring the Soviet Union and diminishing the threat of military confrontation in Europe, but also of becoming a partner in the "common European home." The envisioned Europe of 1992 will not happen in 1992; it will take a few years longer than that. But when everything works itself out, it will be a Europe that reaches from the Atlantic to the Urals, that is not only European but Russian and North American as well.

The ideals that inspired the revolution of 1848 are finally coming to fruition in central and eastern Europe and, it is to be hoped, in Russia as well. The people of 1848 thought that Europe was experiencing a Spring; conservative frosts killed the bloom. We can hope that the revolution of 1989 will flower and bring with it both political freedom and economic prosperity.

SOUTH CAROLINA HISTORICAL ASSOCIATION

Statement of Financial Condition
As of December 31, 1990

Assets:

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NCNB Certificate of Deposit No. CD 70700005-9173896	1,306.80
First Federal Acct. No. 13105	650.65
First Federal Acct. No. 13523	618.92
	$6,651.23

Accounts Payable:

Printing bill for 1990 Proceedings	$1,5577.10
NET ASSETS	$5,074.13

Respectfully Submitted

John V. Crangle
Secretary-Treasurer

The South Carolina Historical Association supplies THE PROCEEDINGS to all its members. Beginning in 1935, every fifth number contains an index for the precceding five years.